REVIEW

OF

"THE COLONIAL POLICY OF LORD J. RUSSELL'S ADMINISTRATION,"

BY EARL GREY, 1853;

AND OF

SUBSEQUENT COLONIAL HISTORY.

BY THE

RT. HON. SIR C. B. ADDERLEY, K.C.M.G., M.P.

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THE COLONIAL POLICY

OF

LORD JOHN RUSSELL'S ADMINISTRATION.

INTRODUCTION.

I PROPOSE to make a general review of what may be considered the latest work of high authority on English Colonial Policy, namely, Lord Grey's Letters to Lord John Russell in 1853;* and to carry on to the present time his sketches of the history of each colony.

I may, perhaps, venture, after twenty-eight years of attention to the subject in Parliament, to assert that I entertain a different view generally from that of Lord Grey, of the theory of our colonial government: but in offering somewhat of a critique on his work, as well as its continuation, I feel that an apology is due from one so much his inferior in authority, and I most unfeignedly express a sense of diffidence. I believe that the Colonial Administration of this Country never had an abler, or

* 'The Colonial Policy of Lord John Russell's Administration,' by Earl Grey. 1853. Richard Bentley.

more high-minded Chief, or one whose every action was more completely dictated by pure and generous motives. The fundamental error in his theory of colonial government, and it was the prevalent theory at the time, seems to me to be the supposition that in English settlements (I am not speaking of Crown governments, or stations for commerce or war) the Supreme Executive has the task of exercising a paternal control over the people, which must reverse in their case the Constitution which we enjoy at home—a control which distance must make more galling, and of which, the more benevolent and conscientious its exercise, the more fatal must be the effects upon the vigour and prosperity of its subjects—which not only deprives them of the exercise of self-administration, but exposes them to having their affairs treated as the materials of party struggles in England, with which they have no concern.

Lord Grey remarks, in his Preface, that the Colonial administration of the previous quarter of a century had varied with the different views of successive Secretaries of State; and that whatever blame might rest upon it, could not therefore be traced to any obstinate adherence to an erroneous system. The fact is, that English colonial policy has followed a course of events very much springing out of each other, of irresistible sequence, and little varied, except in one great revolution, by Ministerial idiosyncrasy.

I recollect the late Mr. Ellice, who knew more on this subject than most of his contemporaries, remarking to me that there were three periods in the history of our colonial policy. In the first, we left colonies to govern themselves; but attempted to make them, by commercial regulations, subservient to our interests at home. In the second, by tampering with their self-government, we lost those colonies, and sought to hold others more firmly by governing them from home; taking no service from them, but their expenses upon ourselves. In the third, the principle of colonial self-government recovered itself, leaving, however, the expenses still on our hands, which we are only beginning now to throw off. The normal current of colonial history is perpetual assertion of the right to self-government.

Our first colonies, as Sir C. Lewis observes ('Govt. of Dependencies,' p. 161), "were nearly "independent of the mother-country, except as to "their external commercial relations." There was scarcely any interference on the part of the English Government with the management of their affairs—so little, indeed, that there was no special Department of State charged with their superintendence. All business with them, being commercial, was referred to the Board of Trade. Even our commercial interference was rather aimed at the pretensions of the Dutch to monopolize the carrying trade of the world, than at colonial independence.

The first Act of Navigation was passed by the Republican Parliament of 1651. Mr. Merivale describes the New England States as having been almost independent democracies from the first (new edition of his most valuable work on colonization, p. 98); and Sir C. Lewis considers all our early North American colonies to have become practically autonomous democracies before their actual emancipation (p. 160). It is very probable that English communities in America must lose the aristocratic features of European society which find no materials there, and assume the more republican character by which their national genius adapts itself to the New World; but this essential attribute they must always retain, under whatever forms of government their circumstances may induce—the will to manage their own affairs.

It never occurred to our first American colonists that they were not capable, on their arrival on new shores, of the same measure of liberty, and of the same discharge of all social duties, as they had been accustomed to in England. Representative government was seldom expressly granted in the earliest charters (Merivale, p. 63). It was assumed by the colonists as a matter of course. Hutchinson uses the expression, "a House of Burgesses *broke out* in "Virginia" (Merivale, p. 104). The whole military expenditure of the thirteen States which existed before the Revolution, including that connected with forts and garrisons, was paid by the produce

of their own taxes. During the Seven Years' War, they raised, clothed, and paid 25,000 soldiers (A. Mills, 'Colonial Hist.,' Introd.). In attempting to recoup ourselves for our first military expenditure on their account, we imposed the fatal Stamp Act, upon colonists who had theretofore defended themselves from native and foreign enemies, as well as put down internal rebellions; developed their own resources; surveyed and opened up their own country; and made their own laws, only so as not to be repugnant to metropolitan legislation. One of their allegations of grievance in the Declaration of Independence was "the quartering of English "troops among them in time of peace"—so characteristic was it of our first and most vigorous colonists to depend on no one but themselves.

How powerful an empire our connexion with such fellow-subjects, free as ourselves, and only bound together by a common Head, might have produced, if we had not violated the conditions of success, and forced them to escape from us for their life as a separate nation whose history nourishes the youthful pride of each generation with records of emancipation from our wrong, we can only regretfully conjecture.

At the period of American Independence we suffered almost an entire loss of colonial empire; but we soon largely recruited a new empire, chiefly by conquests during the French revolutionary war, when the use and glory of naval supremacy was

thought to be the acquisition of territory all over the world; and we sought to hold it by a new and foreign colonial policy—by governing it from the metropolis. This second colonial system was in fact a blind revulsion from the self-inflicted failure of the first. But not more impossible would it have been for Grecian States to adopt Roman colonization than for England to imitate the Spanish institution of an administrative Colonial Council at home. We even complicated the attempt in the principal case, by partially conceding the English Constitution on the spot, and connecting it with so incongruous a presidency. Sir C. Lewis, writing about thirty years ago, observes, "Since the close of the American war it "has not been the policy of England to vest any "portion of the legislative power of the subordi- "nate government of a dependency in a body "elected by the inhabitants. The only partial "exception is in the Canadian provinces" ('Gov. Dep.,' p. 160).

This distorted relation between England and her colonies could not last. To her colonies her guardianship was a crippling incumbrance, and to herself a profitless burden, reducing her to the anomalous position of a tributary to her own dependencies. It was, says Mr. Merivale, the reverse of our old policy—we taxed ourselves for the pleasure of governing them.

The third, or recuperative period, soon began

to dawn; and the system of government which Lord Grey considers to have varied, during the quarter of a century preceding his administration, with the various views of successive Secretaries of State, steadily restored itself to a true colonial correspondence with the contemporary Constitution of England—imperfectly, however, for the largest colonies still truckle to their mother's pride, and induce her to continue the service of their protection.

Lord Aberdeen, as Prime Minister in 1852, in stating his foreign policy to Parliament, said, "There may have been differences in the direc- "tion of affairs, according to the different hands "entrusted with it, but the principles remain the "same." So say I of our colonial policy; and the course of events has maintained, and once strikingly retrieved from revolution, the principles essential to its nature. Lord Grey's administration took place in the very crisis of the transition from the second to the third of the stages of history which I have described—that is, from the paternal government of Downing Street to the restoration of colonial self-government; and unfortunately his turn of mind and theory of policy were adverse to the restoration. The vast increase of population and of commerce, and the democratic tendency of the New World, intensified the natural appetite of English emigrants for freedom, and their resentment of interference. If in the preamble of

grievances to the Declaration of Independence we read how our first colonists were vexed by "the "denying to Governors permission to pass laws "of immediate and pressing importance, unless "suspended in their operation for the Sovereign's "assent; and when laws have been so suspended, "the neglecting to attend to them sometimes for "years;" how much more in the developed freedom of later times must Lord Grey's notion of training English colonists gradually to manage their own affairs, and educating them in maxims of prudence and humanity, have vexed their very souls, if not corrupted into mercenary submission. But the effort to retain this policy failed to stem, though it sometimes ruffled, the reflux tide of freedom. Its worst effect was to give a handle to the already corrupted colonists, by which they clung to the bribe of proffered help, at the price of far more than an equivalent of freedom. They had become habituated to consider the Imperial Government as their master, and whatever happened to them as its affair—the care of the gods—and they were willing to continue to be saved the trouble and cost of self-support, and of arming, at the greater sacrifice of that self-reliance which the better colonists felt to be essential to self-government; and so they retained, for a time, their relation of burdens instead of increments to the British Empire.

Lord Grey complains, in his Preliminary Re-

marks (Letter I.), that, during his administration, books, pamphlets, and speeches almost innumerable were perpetually coming out in support of views of colonial policy which he could not approve, and which seemed to him almost personal attacks upon himself. He therefore proceeds to enuntiate distinctly what were his own views, and they are practically as follows:—That colonies must be maintained for the interests of both sides —for our power, and their care—that all would go wrong with them but for this Country's kindly influence over their affairs, and assistance to govern themselves well—that the authority of the Home Government must be exercised in appointing their Governors, and disallowing their bad measures—that the degree of control to be exercised over local authorities by the Secretary of State must differ according to the colonial constitution, but in the case of the freest, such as that of Canada, must be exerted whenever the Imperial interests, or honour of the Crown required—that the Home Government most usefully checked and gave time for reflection to the comparatively inexperienced Colonial Legislatures—in fact, that the Secretary of State should not only advise the Sovereign in the government of Crown colonies, and of stations of commerce and war, and in the instruction of his Representative in constitutional colonial governments, but that he should bring the Sovereign into wholly different relations with

subjects out of England, from any held with those in England; and that he should himself exert, in the name of the Crown, powers over them which are altogether unknown to the Constitution of this Country. According to his view, the Sovereign is doubly supreme in colonial administration; not only as the constitutional head of the Executive, and final constituent of Legislature, but as over-ruling autocrat besides, controlling, at discretion, from the seat of Olympian power and wisdom, every action and function of a government in which he has already taken his ordinary part. The unity of aggregate power, and consistency of general policy, which would result from a community of rights and co-operative sympathy throughout the Empire, which would make the living whole too large to attack, and too cosmopolitan to be aggressive, is lost by the assumption of such dictation from the centre, however sparingly resorted to, based, as it must be, on the abdication of citizenship by all the rest, and coupled with the vain undertaking from one small heart of empire to furnish men and money everywhere to maintain and defend the inert mass.

To give instances of experiments in so restless and impracticable a policy, would be to relate the chief events of Lord Grey's Administration from 1846 to 1857.

Nevertheless, he was ever witnessing in vague theoretical profession, far more liberal than the

given commentary, and by the failures of his inconsistent practice, to the dominant principle of colonial self-government. Constitution Bills held out perfect schemes of government, and offered a training process to their acquisition: but the recognized freedom broke loose from his leading-strings. History overran his policy.

The love of power is an intense passion; and the guardianship of empire, once assumed, is not readily abandoned by a Minister till, perforce, taken out of his hands. The pride also, and the associations of an old country, naturally assume superiority over a new country till it can assert its own claims for itself.

The claims of our colonists to be treated as ourselves have prevailed; and the Minister must yield the freedom which will not wait to be trained by him. Colonial constitutions are not, indeed, results of policy at all, but of a law that like breeds like. The free Greeks bred only free colonies, which "homed off" from them as New England did from us. New scenes may modify the character of English colonies — unnatural treatment may alienate them—*tamen usque recurret natura.* English colonies are detachments from England, and, while retaining the same allegiance, capable only of congenial institutions.

As American States contribute their representatives to Congress, so would our colonies send their representatives to Westminster, but for the

wide intervening ocean, which renders such united council practically impossible. The possibility of a Congress among such scattered elements of empire has often been discussed. Adam Smith thought favourably of it. Burke saw both physical and moral difficulties insuperably in the way. I once took part in a long controversy with Mr. Godley, and Mr. Howe of Nova Scotia, on this question; and submitted reluctantly at last to complete conviction, that the English Parliament would not endure the influential interference of distant fellow-subjects in their general legislation; and that anything in the way of a Congress for discussing questions which might be called Imperial, was far too great an innovation to find any acceptance with Englishmen. This being so, it follows that to some extent, though very limited, the central Parliament must for the sake of any unity be the depository of ultimate supremacy. The Declaratory Act of 18 Geo. III. acknowledges, from recent experience, how slight such subordination of colonial representative government can be.

There are other possessions of the English Crown loosely classed with colonies, whose government is simply the will of the Sovereign advised by Councils more or less liberally composed. Such Crown governments, just as representative governments, must be subordinate ultimately to the Supreme Legislature, in which the Crown is but a constituent part. Both are subordinate

governments, but these, originating from conquest or cession, are under the Crown in right of the conqueror to impose laws on his subjects, until he concedes to them—what he cannot of himself retract—a free constitution. They are the parts of British Empire of least developed nationality, such as ill becomes British subjects at all, and such as cannot be justified except by special circumstances, and on special grounds. Stations merely occupied for war, dépôts of trade, and subjects of inferior race, are fitly so governed. The Duke of Wellington exclaimed, "A constitution "for Malta! I should as soon think of elections in "an army, or a parliament on board ship." No one would ask for a representative Assembly to superintend the few settlers round the coal mines of Labuan. A community chiefly consisting of Cingalese, for another example, could hardly be first taken out of the custody of the Presidency of Madras, and then entrusted with free British citizenship. I regret to say that the West India representative constitutions begin to recede, of necessity, towards Crown government—I hope only "*pour mieux sauter*." From smallness of area, absence of proprietary, social and generic incongruity, and the unfitness of the mass of the population—the result of slavery—to form electoral constituencies, these little islands, once preserves of patronage, are now unequal singly to furnish the materials for constitutional government.

But nothing could justify, even if it were possible, the retention of such a conquered colony as for instance the Cape, under government so foreign to English ideas as government by the Crown.

I proceed to show that the acquisition of self-government is not so much the gift of an enlightened policy, as the natural tendency and necessity of English colonies.

CLASSIFICATION OF COLONIES.

1. THERE are three groups of English colonies which have nearly acquired self-government as complete as our own at home. What is still chiefly wanting is their assumption of the *liabilities* of free citizenship, as well as its *rights*. They have still to be disabused of the degraded notion, instilled by our former policy, that the latter can be enjoyed without the former. I speak, generally, of the North American, the Australasian, and, in a lesser degree, of the two colonies in South Africa.

2. All the other transmarine dominions of the Queen may be treated, generally, as more or less under Crown government, namely, the West African stations, even mostly the West Indian Islands, the Eastern settlements of Mauritius and Ceylon, the commercial stations at the Straits, Labuan, Hong-kong, Falkland Islands, St. Helena, and Heligoland; and the war and naval stations of Gibraltar, Malta, and Bermuda.

This is a rough, but, for the present purpose, sufficiently accurate summary of what is called the British Colonial Empire.

The First Part of my Review will relate to

the three groups of colonies which have representative governments, and may be called Colonies proper.

The Second Part will relate to Crown Colonies, and Stations for commerce and war.

A Third Part will contain chapters on Colonial Defence, the Colonial Church, and Emigration.

PART I.

THE three groups first mentioned, possessing free representative governments, in two of them completely responsible to the Legislatures, have acquired that which Queen Elizabeth's first patent to Sir Walter Raleigh held out to his associates in colonizing enterprise, when she "permitted her "subjects to accompany him with guarantee of a "continuance of the enjoyment of all the rights "which her subjects enjoyed at home."

Of course, when the political rights of Englishmen are spoken of, no abstract rights can be meant, but the conditions which the English nation have established as best suited for themselves; and of which the enterprise of emigrating, so essential to the expansive vigour and freedom of an insular people, ought not to deprive any of them who have the spirit, and who should have the highest incentives, to undertake it.

The offspring of England should not be inferior to, but identical with herself. The spirit of outward settlement should be that which Pericles dictated to the Athenians,—the refusal of citizens to

succumb to poverty and degradation, and the relief from such pressure of growing population as might cramp the spirit of freedom at home.

We are indebted to these three groups of colonies for having refused to submit to any inferior terms of citizenship than such as habitually belong to our nation. They have each severally illustrated the repugnance of their race to the imposition of inferiority.

The American provinces have stoutly vindicated a right to responsibility of government. The Australians have thrown off indignantly the stigma of their origin in transportation, redeeming the nobility of colonization from the servile duty of national scavengers; and South Africa lent to English spirit the fulcrum of a Dutch back to resist the requisition of similar service from the mother-country.

By struggles like these our colonial policy has righted itself.

I will now show how far this revival has proceeded in each of our colonies proper, taking them in turn as I have roughly grouped them.

GROUP 1.—NORTH AMERICAN PROVINCES.

I.—CANADA.

Of the North American colonies, Canada must first be considered.

We had only recently conquered this territory from France, when we lost our earlier colonies together with the colonial policy on which they had thriven and grown to quick maturity.

Our first proclamation of civil and religious liberty to the Canadians did not commend itself to French ideas, and in 1774 (the year in which another Act was passed *for closing the port of Boston*) the Quebec Bill established in this province the laws and customs of France.

The success of our first colonists in vindicating their rights against the unconstitutional demands of the mother-country, left feelings of resentment in the breast of the Imperial Government, which also involved our new colonies in a reactionary policy. Lord Durham, in his celebrated Report of 1839, observes (p. 25) that "from this period the "colonial policy of this country appears to have "undergone a complete change. To prevent the

"further dismemberment of the Empire became "the primary object of our statesmen, and an "especial anxiety was exhibited to adopt every "expedient which appeared calculated to prevent "the remaining North American colonies from "following the example of successful revolt." We sought to prevent further evil resulting from our first tampering with colonial rights by tampering with them still more, and to check the irritation of wounded freedom by impounding freedom altogether. Every kind of restrictive device was resorted to for trammelling colonial government, and the very life and essence of successful English colonization was for a time suppressed. British provinces became the scene of a strange experiment, that of governing English subjects in America from an Office in London, and submitting distant dependencies to a subordinate Agency of a metropolitan Bureau, working through the intrigues of a narrow clique on the spot.

The English settlers in Canada soon protested against such treatment as this, and called loudly for more self-government and for the English Constitution; and Pitt, by the Act of 1791 (31 Geo. III., 31), divided the growing territory into an Upper and Lower Province, by way of preventing collision between the two incongruous races. The Act then gave them both elected Houses of Assembly, and it was inserted as an amendment that the Legislative Council should be made by Crown nominations for

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life, in order to imitate as nearly as possible the constitution of the English Parliament.

The division of races was probably a mistake, but we surely saw some good effects from this emancipating spirit—this step from domineering towards fraternizing with the colonies — in the brilliant achievements and loyal spirit exhibited by Canada during our troubles in 1812.

But from the day on which that step was taken, up to the date of Lord Grey's administration, there was a continual struggle on the part of our colonists for the completion of constitutional rights, by the subjection of the Executive to the Legislature, which is commonly called *responsible government*.

A series of intrigues, "family compacts," and last resorts of bureaucracy, caused a corresponding series of rebellions; and concessions alternated with fresh demands until the claim was fully satisfied.

We lingered in our half-recovered policy at an enormous cost to this country, and with great injury to our new colonial growth.

The Government, trusting to the support of its official party on the spot, still continued to dictate the details of administration from a distance which put out of its sight the wants and interests of the colonists themselves.

Lord Durham described the general state of things as that of a chronic collision between the Executive and Representative bodies in all the

North American colonies. "In each and every "province the Representatives were in hostility "to the policy of the Government, and the admi- "nistration of public affairs was permanently in "the hands of a Ministry not in harmony with "the popular branch of the Legislature" (Report, 1839, pp. 27–8).

English taxes were lavished on the means of quieting and demoralizing the spirit of the colonists.

It was argued that the cessation of such vexation would be the cessation of all colonial connexion. Lord Durham alone affirmed the opposite and true opinion, guided as he was by the enlightened views of Edward Gibbon Wakefield and Charles Buller, that cessation from such interference would be the starting-point from which a natural, free, and vigorous attachment would spring up between the colony and mother-country.

Lord Grey commences his observations on Canada (Letter V.) by remarking that "a new era "in the history of British North America opened "with the passing of the Act of 1840 for the union "of the divided provinces of Upper and Lower "Canada, and with the consequent re-establishment "in the latter of constitutional government, of "which the insurrections of 1837–8 had occasioned "the temporary suspension." He rightly attributes that rebellion to defects in the Constitution; but those defects were rather in the working of the

Constitution than in its letter. The Act of Union was directly intended to merge the quarrels of races, which provincial division had aggravated, and to enlarge the area of government, so as to swamp the petty parties and intrigues which infected it. What Lord Grey says was vaguely sought for, and that which he says his friends first gave definite meaning to—namely, responsible government—might have been established just as well by instructions under the old Constitution as under this Act. It is, however, clear that what Lord Grey meant by responsible government, under whatever Act established, would have been no remedy against collision between the Executive and the Assembly. If nothing more had been achieved by the Colony and by the progress of events than what he intended, rebellion would have continued as constantly as ever.

What was really wanted, and clearly understood by those who felt the want, was that the Government should be carried on in harmony with the Representative Legislature already established, and by means of those in whom the Legislature had confidence.

The effect of giving representative institutions with this responsibility withheld was, as Gibbon Wakefield described it, much like that of lighting a fire in a room with the chimney closed. But Lord Grey refers to a well-known despatch from Lord Russell, who was Colonial Secretary at the

time of the Union, to Lord Sydenham, October 1839, and calls it "the first attempt to give some-"thing like shape and consistency to the vague idea "of responsible government;" and certainly the definition so given is conclusive against his claim to any credit for the concession of the thing itself.

In a colony, in substance says Lord Russell, Councillors give advice to a Governor who is possibly receiving contrary instructions from the Sovereign whom he represents. The Governor's way out of the dilemma is by an exercise of discretion, only ignoring the responsibility of his Council to the Assembly when the honour of the Crown absolutely requires him to do so—that is whenever he thinks fit. But such an exercise of discretion amounts simply to the subjection of the Legislature to the Executive in his own person; or, in other words, to the exact converse of responsible government. All Colonial Legislatures must, no doubt, as I have already said, be ultimately subject to the *Central Legislature*, but no representative Legislature in the Empire is subject to the *Crown* one iota further than as the Crown is a constituent part of the Central Legislature, or so far as by its representative it has the prerogative of veto on local legislation. Beyond this the Crown can only exercise its very powerful influence, but has no legal control.

The position, therefore, of a Colonial Governor as imagined by Lord Russell, in perpetual dilemma,

with one eye fixed on his employers at home, and the other squinting at his Assembly, is an impossible fiction; and I really believe that Lord Grey had no more idea of responsible government before his eyes when he adopted this description than is compatible with M. Rouher's view of the French Emperor's Government, which he lately described as unreservedly responsible, meaning that it was ready to bear the blame for whatever went wrong.

It is true that Colonial Governors, however dependent their Ministers may be on the confidence of local representative bodies, are likely enough themselves to keep an eye on the policy of the Home Government, and trim their own course with it. So far as exerting their influence goes, this may be right, and conducive to Imperial unity; but it should never amount to their acting separately from their Ministers, nor to actual collision with the Assemblies. In case of need there is the immediate veto on local legislation for Governors to fall back upon; there are, also, many Colonial Acts which the Crown has afterwards the opportunity of refusing to confirm, or which the Imperial Parliament can override in the interests of the whole Empire.

But what, after all, is the meaning of the word "Imperial?" The phrase has come to be used convertibly with "English," as if everything in which the honour or interests of the metropolis of the Empire are concerned, should be undertaken

solely by the metropolis, free of cost to the rest of the Empire. If, for instance, it can be shown that the integrity of the Empire requires that troops should be quartered in Canada, it is maintained that England ought to furnish both the troops, and the whole cost of their transport there, and their equipment, barracks, and even carriage from post to post within the colony, for its defence, treating the function of supremacy as that of rendering a tributary service to all dependencies in every general requirement.

But to resume—Lord Grey's version of the phrase "responsible government" even improved upon Lord Russell's definition. He explains Lord Durham's views, which he says Lord Russell adopted, to mean that for the future Ministers in North America should not hold office on tenure equivalent to *during good behaviour*, but "be "called upon to retire whenever from motives of "public policy, or other reasons, it should be found "expedient"—that is, according to the judgment of the Governor. He confesses that this mode of "giving shape to the vague idea of responsible "government" was never accepted by Canada. "Up to July 1846 the problem of bringing into "satisfactory operation this system of administra- "tion had certainly not been solved" (p. 203, vol. i.). The insurrection was too recent for the French Canadians to have "acquired their just "weight in the united Assembly;" and Lord

Sydenham's personal talents had such overriding sway that constitutional government could not fully establish itself.

Lord Sydenham, however, introduced many useful measures, and especially local self-government by District Councils.

Sir Charles Bagot's brief administration seemed to Lord Grey "a much nearer approach to the "establishment of a really constitutional system," but his death left his work imperfect.

Lord Metcalfe became involved in difficulties with his Council on a question relating to the distribution of patronage. "His Ministers," says Lord Grey, "retired, supported by a majority of the "Assembly." Could the continued absence of English constitutional principles from Canadian government be more strikingly described?

Lord Metcalfe set up another Ministry; with which, by means of a dissolution in 1844, he brought the Legislature into harmony, triumphing over the principle of responsibility through the use of its own forms. This could only have been accomplished through Lord Metcalfe's great personal popularity, and, as Mr. Montgomery Martin observes, his influence was on this occasion most vigorously employed to procure the return of members favourable to his policy. Lord Metcalfe stated in his speech to his accommodating Parliament, that "while he recognized the just power "and privilege of the people to influence their

"rulers, he reserved to himself the selection of the "Executive." The exact reverse is the maxim of the constitution—the Crown exercises its influence aside, while the Legislature controls directly the choice of the Executive. The Governor's speech reminds one rather of Strafford's advice to King Charles, "By no means to abolish Parliaments, as "a well-governed Parliament was the best instru- "ment for managing a people." A Parliament was looked upon by Strafford as a mere instrument of the prerogative (Hallam, 'Const. Hist.' 3rd edit., ii. 73).

"The effect," says Lord Grey of this manœuvre (vol. i. 205), "was to direct Parliamen- "tary opposition against the Governor personally, "and the British Government of which he was "the organ." Nevertheless, we must allow that in Lord Metcalfe's time great advance was made towards the establishment of the independence of the Canadian Legislature.

In 1843, Parliament admitted Canadian wheat and flour free of duty, on condition that Canada should impose a 3*s.* duty on imports from the United States. But, three years after, we adopted free trade generally, and so broke down the privileged trade which our first differential measure had set up in Canada. Upon this, Canada, using the powers given by the Imperial Act of 1846 (9, 10 Vic., 94) for enabling colonies to repeal customs' duties, repealed her own differential duties, so as

to let all foreign imports come in to her as freely as English. The United States, however, did not reciprocate her liberality; and Canada, smarting under their competition with her in the English corn market, met their duties on her exports to them by a process of retaliation, and in the spirit of revenge. From this retrograde and suicidal policy we induced her to desist; and so, as the sequel proved, gave a happy instance of the compatibility of beneficial influence over a colony exerted by the English Government, with perfect freedom of colonial action.

Lord Cathcart, as Commander of the Forces, acted as Governor on Lord Metcalfe's retirement, in 1846: and, a rupture threatening with the United States, Mr. Gladstone, then Colonial Secretary, thought fit to make him actual Governor-General; though, as Lord Grey remarks, knowing little as a soldier of civil government, but it being desirable at such a moment that the civil and military chiefship should be in one.

Later in the same year Lord Grey came into office, and soon after replaced Lord Cathcart by Lord Elgin, to whom he gave instructions similar to some which he had first given to Sir John Harvey, and which he quotes at full length, as "completely embodying his views."

Sir John Harvey, on assuming the Lieutenant-Governorship of Nova Scotia, had several vacancies in his Council to fill up. He at once deserted the

existing Ministry; and the Opposition, *with whom he put himself in communication*, urged him to dissolve the Assembly which they could not command, in hopes that the next might put them in the ascendant. The despatch instructs him that he ought first to have let the Ministers try to set themselves up; and, not till they had failed, to have applied to the opposite party, who were equally at fault with the Assembly; and only as a last resort to have dissolved an impracticable Parliament. But it was added that he was by no means to yield a blind obedience to any Ministry. He might always take his own line so long as his Ministers could not appeal successfully to public opinion against him. Whenever he felt it his duty so to oppose his Ministers, he was directed to make the issue clear between them, assured that his known views must carry weight with the Assembly; or, if not with them, certainly with the public at large.

This scheme of separate action between the Governor and his Council, shows how little contemporary constitutional principles in England were kept pace with in Canada. By the constitution the Governor and his Ministers should, at least, be in official accord. If he personally desires a different policy from theirs, he must not attempt to enforce it without changing or converting them; and he must be able to carry the Assembly with him, or change them also. But if the Assembly agree with

him, they will change his Ministry for him. Lord Grey's views require a subservient Legislature.

Nevertheless, there is no doubt that the Canadian Parliament gained ground under Lord Elgin's administration. In 1847 the Act of Union was relaxed so far as to give them entire control over the Civil List (10, 11 Vic., 71). The Post-Office, and, in 1850, other Departments, which used to be considered Imperial reserves, were also handed over to them.

The Lower Canada Rebellion Losses Indemnity Bill, however, most strongly illustrated the improved constitutional position which the Viceroy now assumed, and how much parliamentary and local government was becoming established in Canada. It raised a great debate in the House of Commons, in which even Mr. Gladstone, condemning it, argued that it affected Imperial honour, and should not have been allowed to come under colonial discussion till the Governor had first taken instructions from home. Lord Russell replied that the Governor had exercised a discretion which rightly belonged to him—that he was the right judge of what questions ought to be referred home—and that in this case his judgment had been good.

The question really was a struggle between parties, in which, happily, neither the Governor nor the English Government now took either side; and, therefore, loudly as the Opposition cried

for dissolution, or for a reference home, the vote was rightly allowed to pass; and the claims of representative government, at this early crisis, were upheld by the Governor at the risk of his life.

It was a somewhat similar question that was similarly decided without hesitation lately in Parliament, where a proposed compensation for rebellion losses in the Jamaica insurrection was discussed. The question was relegated at once, irrespectively of party, to the Local Legislature, though a Crown Legislature, as wholly their affair.

The excitement occasioned by the Rebellion Losses Compensation Bill, of 1848, was prolonged by discussions on the removal of the seat of government from Montreal, lately substituted for Kingston, and the scene of riot, to Quebec and Toronto alternately; in which party spirit ran so high that even men in office were found signing an address for annexation to the United States, and were justly dismissed from their offices, as any English Minister would now deserve to be who presumed to moot such a question.

In 1853, two Acts were passed for reforming the Constitution: the first, by the vote of two-thirds of the Legislature, raising the number of Representatives from 84 to 130, so as to re-adjust their proportion to the increased population; and the second, extending the elective franchise.

The same year, the Act of the 16, 17 Vic., 21, was passed by the Imperial Parliament, which re-

signed to the Canadian Legislature the disposal of their Clergy reserves—perhaps the most distinct and simple recognition, that this Country could make, of the right of the Colony to deal with their own institutions, and with their own revenue to which the Crown had already given up the proceeds of its land-sales.

The Imperial Act made this recognition—but it did nothing more, though it is now being distorted into a precedent for the disendowment of the Irish Church. The slightest reference to the debate on its second reading will suffice to show, first, that the land-revenue, originally reserved to balance Roman Catholic endowments by a provision for Protestant clergy in 1791, and afterwards more generally distributed for various religious worship, was no particular Church endowment; the distribution of the proceeds of sale among several denominations under the Act of 1840 being itself frequently changed, and equality of treatment rather than special provision being throughout the principle; and, secondly, that the result of the Act was no disendowment, but rather the reverse—the large portion of the fund already realized being for the first time invested securely, under the powers of the Colonial Act of 1854, for each religious denomination; and the remainder only, being considered more than was wanted for religious purposes, being handed over to the municipalities. So liberal an allowance was expressly made for

vested interests as to afford ample permanent provision, without diminishing life incomes.

The events of Lord Elgin's government were summed up by himself in his last Blue Book, which, I know, he very carefully prepared as a record of his principal achievements. He had much the same opinion of his countrymen as Cicero had of the Romans, who asked him, on his return from Sicily, how things were going on in Egypt; upon which he resolved never to take distant service again, saying, "The people have "quick eyes, but short ears."

Lord Elgin took pride in the adoption of reciprocal free trade with the United States by Canada in his time; which formed, indeed, a new era in its commercial history, so thoroughly that the progress of trade was scarcely affected by the subsequent fate of the Treaty. The concessions then made by Canada to the United States, which lasted for ten years, till 1864—those, namely, of free imports of natural products, inshore fisheries chiefly of mackerel and herring, and the opening of the St. Lawrence and its canals—proved in themselves advantageous to the Canadians, irrespectively of the counter-concessions of the United States to them. The value of Canadian commerce with the United States rose in the first year from eight millions of dollars to twenty-two millions, and, as I shall show by-and-by, even the termination of the Treaty but slightly checked the spirit

of trade elicited in Canada, though it more seriously injured the American Protectionists, who closed the Treaty in a moment of pique. In one year after the close of the Reciprocity Treaty the Canadian trade, even with the United States' duties weighing on it, recovered its elasticity.

During Lord Elgin's Governorship the Irish famine occurred, and the consequent exodus to America, accompanied with frightful mortality, which, however, led to improved regulations of passenger traffic, and of quarantine. Unfortunately, special schemes of systematic and concentrated colonization were then devised. The principle of concentrating new settlements Lord Elgin wisely condemned, preferring in this, as in all cases, freedom of dispersion of new-comers amongst those already settled; and much of the prejudice which sprung up against Government colonization, and an increased poll-tax on immigrants, and the present Canadian dread of pauper consignments, may be traced to these fanciful schemes for organized emigration.

Canadian Railways and other national improvements were greatly extended in Lord Elgin's time; but he chiefly plumed himself on his development of National Education, especially in Upper Canada. The system, though begun so far back as 1816, was put on a new footing, under the able superintendence of Dr. Ryerson just before his arrival, and was greatly promoted by himself. It

is now a model of denominational co-operation for countries where there is no Established Church, the Roman Catholics alone separating themselves from it.

Lord Elgin enforced Lord Sydenham's first appeal to the spirit of self-defence, and during his Governorship dispensed with three-fourths of the English troops quartered in Canada, reducing their total strength from 7000 to 1800, and the cost to England of those which remained. When he arrived, even the commissariat imports sent out at the cost of England were charged with duties which went into the Colonial Treasury. When he left, contributions were being made by Canada for the widows and orphans of English soldiers killed in the Crimea, large colonial votes were annually passed for Canadian militia, and the annual expenditure for repairing the canals which we had made in Canada was no longer charged on the English Treasury, nor the Governor-General's salary.

But my review is chiefly of political history; and, as to his administration, Lord Elgin affirmed that he had fully given effect to Lord Durham's constitutional principles. The monopoly of office by one little clique, and the irresponsibility of Ministers to the Assembly, had been abandoned. He declared that he had frankly accepted as his advisers men who possessed the confidence of the Legislature; but, he added, "on the understanding

"that they would enjoy his support and favour "only so long as they continued to merit them "by fidelity to the Crown and devotion to the "interests of the province." Responsible government, therefore, in Canada was still under cover of the will of the Crown, and was not yet realized in its full sense. Lord Elgin's excuse for this shortcoming, of which he was perfectly conscious, was that the results of long antagonism between the Executive and the popular branch of the Legislature, and struggles on such exciting questions as those of the abolition of Clergy reserves, and of seignorial tenures, and of feudal rights and duties in the lower Province, had altogether rendered a more rapid withdrawal of Government influence impossible without incurring danger from too violently irritating the old Parties whose power was in process of suppression; but he asserted that by the time when he retired the Governor had become little more than the connecting-link between the mother-country and the colony. If he meant that by that time his office merely represented the Constitutional Sovereignty of the British Empire in Canada, he had the right idea, which certainly had been prescribed to him, in view; but practically in the course of his government he frequently acted more like a superior power, overriding his Ministers, than as simply the occupant of the neutral position of the English Crown, amenable to Parliament through his Ministry.

Late in 1854, Sir Edmund Head succeeded Lord Elgin; and a remarkable proof is given of the rapid cessation, at this time, of Imperial interference with colonial affairs, in the difficulty of obtaining any information, even in the library of the House of Commons, of legislative proceedings in Canada. There is nothing, except the actual Journals sent by the Canadian Legislature, giving any account whatever of them. The Blue Books give no details; the communications of official correspondence are meagre. In fact, Canada has told us nothing, and England has not cared to know: each has been minding its own affairs, and what was once called our salutary negligence of each other has returned. Probably our united interests have been all the better cemented for the abstinence from meddling. At this period, also, Lord Grey's notes cease; and I am left to continue as I can his narrative of Canadian events to the present date.

Sir E. Head, one of the most accomplished and sensible of our public men, conducted the government of Canada, from the year 1854 to 1861, with the most sedulous attention to its material and constitutional interests. The first institution of the Volunteer force—the opening of the Grand Trunk Railway—the Ocean Steam Communication with Liverpool—the improvement of Prison Discipline—the increased efficiency of the Civil Service by a system of examinations—the complete com-

mutation of seignorial tenures in Lower Canada—the revision and codification of the Statutes—were all features of his six years of administration.

Perhaps the Tariff Bill of Mr. Galt, and the new constitution of the Legislative Council by election instead of nomination, which reform experience has reversed, are the two exceptional mistakes made during his administration.

Only one political crisis occurred in his time, and that was when, in 1858, the Legislature, having resolved that the Queen should select their seat of Government out of the five rival cities which contended for the prize, and Her Majesty decided upon Ottawa, Mr. Brown defeated the Macdonald-Cartier Conservatives on the question of accepting her decision, Mr. Brown came into office; but, within forty-eight hours, was defeated on the motion of issuing writs for his colleagues' re-election. He demanded a dissolution, which Sir E. Head refused on the ground that a general election had only just taken place; and the Cartier Ministry returned to office after a double proof of the responsibility of the Government to the Assembly.

In Sir E. Head's time, the 100th Regiment of our Line was raised in Canada, the first colonial contribution to the British Army, but paid by England; serving in various quarters, though chiefly recruited in Canada.

Lord Monck succeeded to the Governor-General-

ship in 1861, and soon after, the "Trent" affair called public attention to the defenceless condition of Canada. The Volunteer Militia force was found to be in a most unsatisfactory state. Col. Lyons was sent out from England to assist in its re-organization. The Militia Bill, consequently adopted by the Cartier Ministry, was thrown out, and the Ministry resigned, and was succeeded by that of J. S. Macdonald.

During Mr. Macdonald's administration, a new Act for the organization of the militia was passed, the principal feature of which was the establishment of military schools, connected with regiments of the line quartered in Canada, for the training of officers for the Canadian Militia. These schools are still in efficient operation. A number of officers sufficient for an army of 80,000 men have passed through them and received certificates of competency. The active Volunteer Militia, armed, uniformly clothed, and tolerably well drilled, amount at this time to about 35,000 men. The arms are almost all lent by England, the sole exception being a few breech-loaders. The "sedentary" militia are now fully officered, but neither armed nor drilled.

The warlike aspect of affairs at this time led us hastily to increase the number of English troops in Canada, till they reached a total strength of 17,000, mostly lodged in permanent barracks, which are Imperial property.

In consequence of raids made by the Confederate party into the United States from Canada, which, however, were effectually suppressed by Lord Monck, who called out his volunteers with a promptitude affording valuable testimony of good faith to his neighbours, notice was given by the United States' Government that the Treaty of 1817, limiting the number and size of armed vessels to be kept on the great lakes by the two powers, should be abrogated.

This notice was afterwards withdrawn, and the Treaty remains; though, with tacit consent, relaxed in its observance by both parties: the United States having placed many "revenue armed vessels" on the lakes, and we having, during the Fenian alarms, kept small gunboats, some in the pay of England, and some of Canada, at various points of threatened invasion.

In the year 1865, a deputation of four Canadian Ministers, Messrs. Macdonald, Cartier, Brown, and Galt, were sent to confer with the Imperial Government on the subject of provincial defence, amongst other important subjects to which I shall immediately refer. Colonel Jervcis had just made his report on the requisite fortification of four principal points for the complete defence of the Provinces from any possible invasion. We undertook to strengthen Quebec by earthworks at Point Levi on the south bank of the St. Lawrence, on the understanding that the Provincial Government

would undertake the rest. It will be seen, however, by Mr. Cardwell's record of his final understanding with the Deputies, to which record three of his principal colleagues were parties, that expectation was held out that that colonial undertaking should be assisted by the requisite funds being Imperially guaranteed, and that the armament of Montreal should be furnished by England.

The fortifications on the south or right bank of the St. Lawrence, opposite Quebec, we have nearly completed, but additions to the old works on the city side are required, without which Quebec may be still considered an open town.

Canada is now offering to spend 1,000,000*l.* in fortifying Montreal and other places, on condition of our guarantee to a loan to that amount.

The necessity and wisdom of the whole scheme of Canadian fortification has been disputed. Mr. Lowe has argued in the House of Commons that such a frontier is indefensible, especially against the available numbers of the only possible attackers close to it, by such inferior numbers of defenders relying for their main support on a Power 3000 miles of ocean distant on their flank. Mr. Bright assures us that the Republic of his affections is never likely to attack; but we know that he would not be sorry if, trusting to this assurance, all our Provinces became annexed.

The possibility of raids across the border, at all events, recent experience has proved to us; and

the rising power of British North America should hardly repose in unarmed confidence on the eternal peacefulness of its somewhat lively neighbour. Posts of strength at accessible places along the frontier would be a security against raids, and sufficient guard for stores and supplies; and, in case of serious invasion, they would retain a hold during the continuance of the invasion, which we may fairly reckon, both from the civilization and the interests of the invaders, would not be a process of devastation.

But as long as we keep troops of our own in North America, themselves an incentive to attack, we must surely have one stronghold for them to fall back upon in case of need. Whenever they can all be withdrawn, we may gladly make a present to our colonies of the works we have been at the expense of making for them. The Duke of Buckingham has the merit of greatly reducing their numbers immediately upon Fenian threats subsiding; so much so, that the present Government dare not carry out their special policy of reduction by much further decrease now. It is obvious that the withdrawal of our troops from any colonies should be gradual, if only to give time and means for the organization of local forces. In 1866, Fenian marauders actually crossed the frontier, but were repulsed by the volunteers, and Acts were then passed for better protection against any future aggression

The connexion of Halifax with Quebec by a secure colonial railway, as now proposed along the line of the St. Lawrence, will materially improve the means of Canadian defence, and increase the power of England to aid colonial action on any emergency.

There is no reason why Canada should not undertake her own naval as well as military defence. Perhaps the chief advantage to England in her North American connexion is the great nursery of seamen along those shores. It is really a pity that such materials for naval power should not be made available; and I am not so cosmopolitan as to feel indifferent whether they furnish to the United States more valuable seamanship than all they have at present, or whether they give a transatlantic wing to the British Navy. Canada already ranks fourth amongst the states of the world in respect to the shipping belonging to her, if indeed she does not come third in the list, before France.

The subject of colonial naval as well as military defence will require a separate chapter, in which I will show how Mr. Cardwell's excellent Colonial Navy Act (28 Vic., 14) was intended by the Duke of Buckingham to be largely supplemented. Suffice it now to ask, with reference to Canada only, why the British Empire should forego its strength in that quarter of the globe in the vain idea of undertaking to furnish means

from this island to relieve the colonies of defensive duties for which they are pre-eminently fitted? Moreover, the latest inventions in naval warfare render it impossible that the most effective means of war should be furnished across 3000 intervening miles of stormy ocean. It is, therefore, of the first importance that we should assist and encourage our North American fellow-countrymen to establish dockyards and to build ships of war for themselves. The Richelieu river-exit, and Missisquoi bay at the head of Lake Champlain are ours; and, though the naval defeat we suffered on that lake in 1813 is a bad omen, it would be wiser to have the means of building gunboats or placing stores there than to have to ask leave of the United States to send them there if wanted. Kingston might be made a place of safety for naval stores or for coaling, or for harbouring such vessels as we may have on the lake.

Lord Monck had to deal with the termination of the Reciprocity Treaty in 1864, when the United States exercised the right, reserved by both parties, of closing it after ten years. Those who rejected reciprocity have been the chief sufferers from its cessation. Lord Monck instituted a commission from all the Provinces to negotiate with the West Indies—both British and Spanish—and with Brazil, and retrieved the immediate check to trade by opening new markets; while a licence-fee was imposed on the fisheries, so light as just to

assert the right, yet to cause no diminution of that branch of industry. Even trade with the States soon revived, though clogged with duties; and a Bill has already passed the House of Representatives to renew reciprocity.

The intercolonial railway, and negotiation with the Hudson Bay Company were two other objects to promote which the official Delegates of 1864–5 came to England. But the Confederation of the Provinces was the chief subject of interest, and its successful accomplishment is the chief feature of Lord Monck's career.

Little was done in the way of legislation, except with regard to colonial defence, in the early years of Lord Monck's administration, owing to the equal balance of contending political parties. The laws relating to bankruptcy were amended, and others passed for promoting fisheries and agriculture. But the balance of parties amounted to a dead-lock between the Upper Canadian Reformers, and the Lower Canadian Conservatives; and Lord Monck was the first Governor-General to hold a perfectly neutral constitutional-monarchical attitude towards contending parties. He so calmly confronted them, without fear or favour, that a coalition took place, between the *Brown* Reformers and *Cartier* Conservatives, on the policy of a federal union. Parties were satisfied by the mutually redressive stipulation that the different States, the Maritime, Quebec, and Ontario, should be repre-

sented equally in the Upper House, and according to population in the Lower, in the Federal Constitution.

The maritime Provinces were also becoming aware that the advantages which larger nationality would give them would exceed the profits of a petty individual autonomy.

Sir Edmund Head had first announced from the Canadian vice-throne in 1858 *Confederation* as a Ministerial policy. In 1864, Representatives of all the maritime Provinces met in consultation at Charlottetown; and, Canadians afterwards joining them, a meeting of Representatives from all the British North American Provinces took place at Quebec, where resolutions for a general Union were drafted, which Lord Russell's Ministry first received, and Lord Derby's finally and completely adopted and passed through the Imperial Parliament—the two Provinces of Prince Edward Island and Newfoundland only, for the time, holding themselves aloof.

The Act of Union simply embodied in an Imperial enactment the provincial resolutions passed at Quebec; and empowered the Queen by proclamation to declare Canada, Nova Scotia, and New Brunswick one Dominion, with provisions for admitting all the rest of the Queen's possessions in North America into the Union, on her receiving addresses to that effect from the Legislatures.

The constitution of the *Dominion of Canada*,

as the whole Confederation was called, was made to imitate as closely as possible that of the old Country. The framers seem to have shrunk from the slightest unnecessary deviation from that cherished model, especially in the direction of that of the neighbouring Republic.

The Senate was again made to consist of members nominated for life by the Crown,—the experiment in election to the Upper House having on trial been condemned, as failing to give the second Chamber sufficient weight for revision of the acts of the Popular Assembly.

The Lower House was called the House of Commons, and was constituted on a joint principle of representation both of localities and numbers—specified areas being equally represented, but the number of representatives in each Province being decennially readjusted to their comparative populations.

The scope of legislation by the Dominion Parliament is unlimited, except so far as it trenches on Provincial matters on one hand, or is repugnant to Act of Parliament on the other, and subject to a reference home; and the Governor-General has a veto on all legislation, both that of the Dominion and Provinces.

The Provincial Legislatures of Nova Scotia and New Brunswick keep their former constitutions; but, of the again separated Canadas (now called Ontario and Quebec), the former has only

one Chamber of Legislature wholly elected, the latter an elected Assembly, and a Council nominated for life. To these Provincial Legislatures (ultimately to be little more than Municipal Councils), local matters only are specifically referred in the Act, but amongst them is included their own reform. Some subjects are expressly designated for the Dominion Legislature only, and a few for both concurrently.

The several interests of the two Canadas are very carefully adjusted in the provisions and terms of the Act, and the debts of all the Provinces are equitably apportioned.

Federation was necessarily the form which the Union took, at least in the first instance; both on account of its proceeding from provincial compromise and mutual concessions, and for avoiding needless disturbance of local attachments and inveterate habits (such as Lower Canadian laws and institutions), and because the Imperial Legislature acted externally, so to speak, to the transaction, having not to institute the arrangement, but only to ratify and confirm the colonial compact. But solid legislative union, which would much more effectually contribute to the strength, unity, and economy which were the chief objects of the Confederation, may very probably become the spontaneous result of growing experience, and developed intercommunication. This would complete what is now the most essential distinction between the Canadian and

the States' constitutions, namely, the monarchical unity of the former government, in contrast with the republican fraternity of the latter. In the Canadian Constitution, all subjects of legislation not expressly given to the local Legislatures belong to the general Legislature; whereas in the Republic all matters not specified by the Constitution as within the province of Congress fall to the separate States. The Canadian Constitution is, indeed, not made a whit more monarchical than before. Nor can it ever be otherwise than a very democratic monarchy; but, following its English model as well as it can in America, it will find central unity essential to its strength.

The probable effects of the Union in creating national strength, and developing the self-administrative habits and statesmanship of our fellow-subjects in America, were generally recognized and well pointed out in the introductory debates of both Houses of Parliament, especially by Lord Carnarvon in the one, and Mr. Cardwell in the other; and the simplification of our foreign relations in connexion with these numerous Provinces is a great collateral advantage to all parties concerned.

The three Provinces already united seem, in their several interests, almost naturally complementary to each other. The wheat-bearing West, the manufacturing Centre, and the Eastern contribution of mines, fisheries, and outlet to the world,

make up together a nationality capable of assuming self-sustained action, and less tempting to the aggression of those who might not scruple to take advantage of imperfect equipment.

Lord Carnarvon, the able, accomplished, and high-minded Minister by whose hands this great measure was first presented to the Imperial Parliament, most effectually rebutted all possible objections that could be conjured up either out of local jealousies raised in the detail of the process, or from the wild cosmopolitan theories of certain Imperial politicians; showing that not only for the Provinces themselves, but in the interests of the commerce of nations, it would be a strange infatuation if Parliament interposed any needless delay to the voluntary proposition of the Colonial Representatives.

There are some who would keep colonies weak in order to secure their continued dependence; as if any relation of dependence could be worth maintaining at the cost of their prosperity. There are others who, from their admiration of republican government, or a fatalistic theory of its western destiny, have prejudged all North America to inevitable annexation with the States. Both these classes of political heretics are vexed by the progress of this Confederation. But all who think that in political measures the interests and inclinations of the people concerned are the first consideration; and those who prefer, when they

have the choice, the aggrandizement of their own country to that of others, and who think that a relation of dependence rather weakens than strengthens national connexion, rejoice that our North American compatriots agreed to propose to the Imperial Parliament, and that the Imperial Parliament deliberately consented, so to widen the basis of transatlantic England.

Disunion endangered the liberties, embarrassed the industry, and stunted the growth of those several Provinces. Under single and more comprehensive administration, conducted by their own best men called out by the occasion, their affairs and their resources will be directed with far greater vigour and security.

A combined revenue will command greater credit, while adding to itself by greater economy.

The first achievement of the Dominion will be the completion of the intercolonial railway, supplying a backbone to the new frame-work, and uniting every limb for corporate action, giving perpetual intercourse to a commerce which has hitherto languished on the intermittent channel of the St. Lawrence. Mr. Bright may stigmatise as a "germ of malady" every part of the new Constitution which differs from the American model (Debate, February 19, 1867); but Lord Carnarvon, with more patriotic spirit, said, "We are in this mea-
" sure setting the crown to the free institutions
" which we have given to British North America."

A great step, however, is yet wanting to the completion of the work. The Dominion of Canada must undertake its self-defence. Mr. Bright fairly asked, "Is this new State to be raised up, and get "everything done for it? Are they to be inde- "pendent in every respect, except the choice of "their Governor, and yet not pay for their own "defence? Better," said he, "throw in the com- "plement of independence, and cut this last link "of connexion. Every one knows that the popu- "lation of Canada is, family for family, in a much "better position as regards comforts than the great "bulk of the population of this country."

Mr. Gladstone said well, in giving evidence before a Departmental Committee on Colonial Military Defences, in 1859 (Ans. 3781), "No com- "munity which is not primarily charged with the "ordinary business of its own defences, is really, "or can be, in the full sense of the word, a free "community. The privileges of freedom and the "burdens of freedom are absolutely associated "together; and to bear the burdens is as neces- "sary as to enjoy the privileges, in order to form "that character which is the first security of free- "dom itself."

The Confederation will probably not long fall short of its full requirements. Whatever critics may say of it, at any rate a high spirit is evinced, adequate to the position assumed. A rising national spirit is proved by the ambition of extension,

and not short of the Pacific is the limit to which the Dominion aspires to stretch itself from the Atlantic. Nova Scotia and New Brunswick are already joined with Canada. Prince Edward Island is, we now hear, anticipated by Newfoundland in petitioning for association. The annexation of the Hudson's Bay territory is under ripe negotiation, and British Columbia offers its final contribution in advance, while, however dangerous may be the rash declamation and electioneering recklessness of the neighbouring people, their Government have the sense to recognize their own best interests in the speediest development of occupation and industry on their borders, come from what quarter it may.

II.—NOVA SCOTIA.

Of Nova Scotia Lord Grey says little, only making a passing allusion, *apropos* to its mention, to his decision in the case of that Colony on the general question of vested interests in civil offices. Lord Grey rightly condemns the practice of the United States in treating holders of civil offices, non-political as well as political, as having no vested interest whatever in their employments, but always liable to absolute dismissal. Such a principle, as he says, leads to corruption in the administration, inferior service, and violence of party-

spirit. He expresses a wish to go as far as possible in the contrary direction, short of trenching on the principle of executive responsibility. He succeeded in leading the North American colonies away from their disposition towards the States' system, to adopt our own practice instead; that, namely, of compensation to those who are removed, without misconduct, from any non-political offices.

The pensions and retiring-allowances of officers in Her Majesty's civil service generally are regulated by the Superannuation Acts, the last of which is the 22 Vic., 26, 1859.

I will proceed to make a brief sketch of the recent history of Nova Scotia.

The same struggle took place in this Province as in the Canadas for responsible government, and for the overthrow of the narrow clique into which the governing power had collected itself.

Lord Durham's recommendation the Nova Scotians had, in fact, been the first to take up, namely, the escape from all the evils of little governments, and narrow principles of government, by a more or less complete union of Provinces.

At the period of the union of the two Canadas, 1840, considerable changes were made in the Nova Scotia Constitution under Lord Sydenham, who temporarily assumed their government for that purpose. Not that Lord Sydenham entertained the idea, any more than his employers at home, that any of the Provinces were yet prepared for

the full enjoyment of responsible government. His language to the Governor of Nova Scotia, Lord Falkland, was not encouraging to the aspirants to British citizenship. "It is the misfor- "tune," said he, "of all popular governments in "colonies that the people are made legislators "before they have the intelligence or education "to know how to set about their work." The amount of change conceded was as follows:—Certain additions were made from the popular party to the Legislative Council, and a larger number were taken from the Legislature into the Executive Council, and the tenure of the higher offices was no longer to be for life. But all these reforms totally failed to satisfy even the old loyalists of Nova Scotia.

The progress of events had left but one escape for all the British North American Provinces from being one by one absorbed into the neighbouring States, and that was the confederation of all their various elements of nationality into an aggregate Power of sufficient size to stand by itself, to govern itself on large principles, and to be able to defend itself. For many years various modes and degrees of provincial union were discussed among them, and proposed to the Imperial Government. In 1854 the Nova Scotian Legislature passed a general resolution, moved by Mr. Howe and Mr. Johnston, the leaders on each side, in favour of the "union of British Provinces," and in 1862 they unanimously voted that a "union of all, or

"of the maritime provinces at least," was desirable, and they proposed the conference which shortly after took place. In the elections of 1863, when of course every topic of controversy was certain to be stirred, this question unchallenged made no appearance as one of them. There were, naturally, jealousies exhibited, on the part of the smaller Provinces, of the larger influence of Canada, when the actual terms of confederation came under discussion. Such jealousies well-nigh stifled the process of the original union of the thirteen "States;" and probably nothing less than the genius and influence of Washington could have overcome them. The Quebec Resolutions, however, came to England as the united voice of the Representatives of three Provinces, and were so accepted.

Nova Scotia, however, soon after the Resolutions had been passed into an Imperial Act, sent Delegates from a freshly-elected Assembly to ask for a Commission of Inquiry from this country to re-open the whole question. The House of Commons refused its assent to such an interference and unsettlement, and their judgment seems now to have commended itself to the reflection of the Nova Scotians. Mr. Howe, the exponent of the dissentients, has taken office in the Dominion Government, and has nevertheless been re-elected in Nova Scotia; and the Duke of Buckingham's advice, that every liberal consideration of Nova

Scotian interests should be taken in the new arrangements, has been satisfactorily attended to. The Province, it seems, will now contribute willingly their seaboard and harbour to the future Dominion, assured of their interests on the other hand being fairly and liberally secured to them by the United Parliament.

III.—NEW BRUNSWICK.

To New Brunswick Lord Grey makes only incidental reference, by discussing, in connexion with it, the important question whether the Sovereign should disallow all colonial legislation in the way of giving bounties to promote particular trades, or generally in the way of any protective or restrictive tendency on commerce, as being contrary to imperial policy.

The imposition of differential duties was first officially prohibited to colonial legislatures by a circular letter issued by Lord Derby in 1843; and bounties on any special branches of industry are, as protective duties, equally inconsistent with the policy so laid down.

The particular bounty on which discussion was raised, between Lord Grey and the New Brunswick Legislature, was one for promoting the cultivation of hemp. The enactment for that purpose being temporary was allowed to pass; but the general principle was asserted that all commercial

legislation must be considered as an imperial and not provincial concern, and must therefore conform to the general policy. One is rather reminded of the King of Babylon consigning all his nations to perdition, first for worshipping one way, and then if they worshipped the other way, by this demand on the colonies, who had first submitted to our "commercial" system, instantly to conform with our adoption of free-trade; but Lord Grey puts the somewhat peremptory demand in its most naked form, saying that "as while we adhered to the "policy of protection we imposed some onerous "restrictions on the commerce of the colonies, so, "now we have abandoned our artificial system, "we do not abdicate the power or duty of regu- "lating alike the commercial policy of the whole "empire." (Vol. i., p. 281.)

Fortunately, overruling circumstances are of themselves widening the commercial policy of North America. The gradual confederation of our provinces will at once extinguish all inter-provincial tariffs, and the indirectly protective policy by which Canada raises its revenue must eventually give way to the generally free-trade interests of the maritime provinces now associated with her, while the probable revival of reciprocity with the United States will first balance, and ultimately set free the commerce of that quarter of the world, forcing even the last barrier maintained by the model republic—the citadel of protection.

The refusal of the Sovereign to sanction colonial differential legislation is certainly as much called for in the interests of *consistent* as of *free* commercial regulations throughout the empire. It is, however, hardly compatible with the concession of perfect self-government to our chief colonies that the Sovereign should summarily veto the resolutions of their Representative Assemblies in matters of finance in order to reduce them always at once, and backwards and forwards, to the shifting model of the central standard. One would think such a process of control, at least, required in every case Imperial Legislation, and that the Sovereign alone should not so override by simple veto colonial financial legislation, even though for a time it may turn the tables of the old colonial system upon the mother-country. This may be a crucial test of what Sir Cornewall Lewis calls the distinction between co-ordinate and sub-ordinate government; yet, granting the ultimately subordinate character of even representative colonial governments, and that general imperial interests should not be sacrificed by a separate policy of any colony running in parallel and distinct rivalry to them, I cannot conceive that the prerogative can safely control the subject's purse anywhere under English constitutional government; and in a scattered empire like the British, uniform fiscal principles must be matter of persuasion and interest, not of central dictation.

From 1784, when New Brunswick was separated from Nova Scotia, and had a like constitution given to it by charter—that is, a nominated Council and elected Assembly, to which the Executive was afterwards recognized as responsible—until the Confederation scheme, nothing of a political nature worth present notice occurred in the Province.

The Quebec Resolutions, presented to a newly-elected Assembly, were at first rejected by them. But in the very next session this vote of rejection was reversed. More mature consideration seems to have led the New Brunswickers with remarkable unanimity to the opinion that their small community would thrive much better contributing its sea-ports and timber-wealth to a great Dominion, and opening its recesses, not yet half explored, to become the thoroughfare, instead of presenting them as an obstruction, to the westward commerce of the world.

IV.—PRINCE EDWARD ISLAND.

Prince Edward Island still holds herself aloof from the union of British North American provinces; but she has made it clear that she does so only bidding for advantageous terms. It was at one time considered possible that the proposed grant of 800,000 dollars would induce the Island

to join the Dominion, but the insecurity of the promise, and the progress of events, have hitherto prevented that offer being accepted by the Legislature. The object for which money is wanted, and which at present engrosses attention, is the buying out of the remaining absentee proprietors of the land; on terms, of course, as easy as can be got.

Prince Edward Island is one of the trophies of our earlier and more vigorous colonial policy; when colonies, instead of being defended at the cost of English blood and money, themselves conquered fresh territory for the Crown. It was taken in 1758 by New England forces, and soon after surveyed, and granted out on quit-rents, but the grants were made chiefly to officers who had served during the Seven Years' War, and on somewhat impracticable conditions of settlement.

In 1770 the government was separated from that of Nova Scotia, and in 1773 a Legislative Assembly was constituted, to which the Executive has since been distinctly recognized as responsible. The separate Government was granted in accordance with the petition of the principal proprietors, and on the understanding that the expense of it should be defrayed from the quit-rents. These quit-rents, however, varying from two to six shillings per hundred acres, and estimated at 3000*l.* per annum, were not paid up; and about the year 1777 the civil expenditure of the Government,

unsupported by local revenue, became dependent on grants from the Imperial Parliament. The defence of the Island was at the same time organized by the Duke of Kent, the Father of the Queen, and from him the Province took its present name.

The arrears of quit-rents were afterwards recovered gradually, on a liberal scale of commutation in proportion to the extent to which the proprietors, who were mostly purchasers from the original grantees, had fulfilled the conditions of settlement. Those who failed to pay even these commutations forfeited their land to the Crown; but the Crown refused to sanction a proposed Court of Escheats for general resumption of forfeited property, assenting only to the imposition of a land-tax, which proved a beneficial spur to more profitable settlement.

About 40,000 acres were, however, escheated; and the agitation for a Court of Escheats lasted till very recently, having hardly subsided when the present able Governor, George Dundas, assumed the government in 1859.

The absentee purchasers had leased the lands to tenants for 999 years, at about one shilling per acre; and the lessees, being the residents on the land, and constituting the Representative Legislature, are naturally eager to make themselves the actual landowners.

They passed several Bills to bring this object about: one called "A Bill for settling doubts as to Titles;" another "The Tenants' Compensation

Bill;" another "For imposing a tax on the rent-roll of proprietors," none of which have been confirmed by the Queen. An Act was passed, in 1864, commonly called "The Fifteen Years' Purchase Bill," which is in operation, but it only compels sales, at the rate of purchase so indicated, in the case of lands of such proprietors as have agreed to its provisions.

Under a special Act, passed in 1853, the heirs of Sir Samuel Cunard sold, in 1866, 212,000 acres, at five shillings an acre, to the Government; who have resold them to the occupiers for a gradual payment.

The whole extent yet acquired by the Government is 400,000 acres. Occupiers have, in various ways, chiefly by squatting, gained the fee-simple of 470,000 acres besides; and about 425,000 acres still remain in the possession chiefly of non-residents.

The Legislature has passed several Acts authorizing loans, altogether amounting to 200,000*l.*, to be raised for the purchase of land, on the condition that the price is not to exceed five shillings an acre; and in 1868 they authorized 7000*l.* to be raised without this condition.

The Islanders complain that, the grants having been made originally for the Imperial service, and on a vicious principle, no aid is given from the English Treasury to enable them to buy them up. But the grants were made by the common Sove-

reign for services in a war of common interest, and, however unwise, were within the right of the Crown, and honestly made; and John Bull now declines to be the sole paymaster for every mistake made in the government of the empire. No doubt the absentee proprietary is a great disadvantage to the Island, and should be as speedily got rid of as can be equitably managed: but that is in the power, as well as interest, of the Islanders—who will, no doubt, soon effect it for themselves—and it is not the duty of English tax-payers to do it for them. It may be worth while for the Dominion to expedite a step which would advance so much the progress of the Confederation.

Meanwhile the Province has made this alienation, as they call it, of their lands the ground for an exceptional claim upon the Imperial Government to the continued payment of their Governor's salary from the English Treasury, when almost all other colonies are paying their own; asserting that when representative government was conceded to them, the Crown, in handing over its revenues to the Colony, undertook to perpetuate this charge upon England. There can be no doubt that the Imperial Parliament will, at the next vacancy, refuse to allow this charge to remain any longer on their estimates; and the probable result will be that the government of the island will be placed under the Governor-General of Canada, by which

means the incorporation of Prince Edward Island with the Confederation, if still unconsummated, will take effect indirectly, without any conditions at all.

With this Colony there has been recent correspondence on a topic which Lord Grey discusses in reference to New Brunswick, namely, the rights of fishery.

British rights to exclusive fishery within a certain distance of their shores were scarcely worth contending for. They would, in fact, have only restricted a trade of unbounded extent, and in which the British were sure always to possess a local advantage, however much the trade might be extended. In 1847 Prince Edward Island liberally admitted this fact, and attributed the decrease of the number of their fishermen at that time, not to any competition, but to the greater attraction which agriculture was offering, and they encouraged the United States to occupy the vacant employment, which they considered capable of unlimited remuneration; and now the island fisheries are mainly carried on with United States' capital. The Reciprocity Treaty thoroughly opened those seas, and during what we may hope to be its temporary rupture, an easy licence-fee has almost nominally maintained the right of exclusion.

But the bounty given by the United States to its own fishermen, and the duty they impose on fish imported by others, are felt by the Province as

a real grievance. We can only hope that in time these self-inflicted taxes may prove so irksome, that the American people at large will not long consent to such profitless partnership on the part of their Government with one of their trades. The Islanders memorialized their Legislature in 1867 to retaliate by counter-bounties, but the Legislature wisely took no notice of the proposal. The Islanders would readily give the United States' fishermen unrestricted use of the waters round their coasts, if the United States would in return admit their agricultural produce duty free.

In 1868 the American House of Representatives deputed a Committee to negotiate a treaty of reciprocal free-trade with this single Lieutenant-Governorship, irrespectively of its fellow provinces or the mother-country, and regardless of their own incapacity to treat. The appointment and mission of such a committee by one of the legislative bodies of a foreign country is only worth mentioning as a record of the necessity for having men of tact and judgment to govern provinces in such a neighbourhood.

V.—NEWFOUNDLAND.

This Province, as Lord Grey observes, was looked upon at first merely as an out-station for fishing, and a nursery for the boldest sailors, and

was not till very recently at all treated as a colony. Settlement grew up there in spite of actual efforts to prevent it, and the powers of government were exercised by officers in command of ships on the station.

During Lord Grey's administration representative government, which had been given only shortly before and suspended, was restored—but only partially and reluctantly—the right not being conceded as fully to Newfoundland as to the other British North American provinces till the year 1855.

There are rights reserved to France in this Island by the three Treaties of Utrecht, Versailles, and Paris, suited to the old state of things there, but by which our colonists are now most injuriously affected, being practically prohibited from the use, and improvement, and even ordinary government of a large and indefinite tract of the country called the French Shore.

The present relations of the French and English in those parts is such that the English can keep French fishermen out of the best part of the fishery, abundant as the trade is for all; and the French can keep English fishermen from the necessary equipments of the trade on the French shore, if not also from fishing in adjacent waters, besides the more valuable speculations in the wealth that shore contains. The French have a right to make the English remove whatever is meant by *fixed establishments*, "*établissemens sédentaires*," from

a considerable frontage to the sea, of unspecified depth inland; and by the uncertain limits both of tenure and authority, agriculture and mining are suspended, and not even can capital find requisite security by any regular magisterial jurisdiction being established. On the other hand, the English exclude the French from the most lucrative exercise of the fishing trade, which alone gives them an interest in their shore-rights, except so far as, assisted by Government bounties and protective duties, they may carry on a languid artificial trade in curing, for export, fish which they catch along their shore, or buy of the English fishermen.

The habits of both nations as settlers, and the practice of the trade, and the nature of the government of Newfoundland, have entirely changed since the terms of the Treaties leading to these embarrassments were agreed upon. Yet it is difficult to get the contending parties to agree to, and Newfoundland to be satisfied with, the compromise which one would think most obvious and conducive to the interests of all concerned, namely, that France should have the free right of fishing, such as we conceded with advantage to ourselves and the United States in the Reciprocity Treaty of 1854, and that England should have the full use, for every purpose, and especially for means of government, of the disputed territory in common with the rest of the island.

A Convention in 1857, and a mixed Commis-

sion of French and English in 1859, and a signed Convention in Paris, in 1860, which only broke down eventually by disputes as to the right conveyed by one word, "*requises*," and the Fishery Commission of 1866, have all as yet failed to settle the question. The present state of controversy was very fully and clearly explained by Lord Carnarvon in the House of Lords, in answer to a question from Lord Houghton (*see* Hansard, May 22, 1868). The Colonial Legislature is now urging a renewal of negotiation, which it is to be hoped the two Principals may soon settle definitely between themselves.

In 1867, the Newfoundland Legislature passed a Fishery Act, the provisions of which involved some differential duties to which the Board of Trade objected. In reply to these objections, it was stated that the French Government gave bounties to their fishermen, and excluded colonial fish from their ports, and had induced the Spanish Government to favour their imports of fish, by differential duties against the colonists; to counteract all which disadvantages the Newfoundland fishermen required some sort of differential tariff on their side. The proposal was to admit, free of duty, fresh fish landed by any vessels for consumption, and fish brought in for exportation in Newfoundland fishing-vessels; but that fish brought in for exportation by any other vessels, British or foreign, should be taxed. The object was to retaliate on

the French trade in cured fish brought for transhipment to foreign ports, and to get an equal access to the Spanish market.

On our remonstrance against such a resort to fiscal warfare, the Act was amended, and purged of its differential duties; and now all kinds of fish will bear an uniform duty of 1 dollar 32 cents per cwt. If the proposed Act had been sanctioned, very awkward questions might have been raised by colonial legislation between the mother-country and foreigners having "favoured nations" treaties with her. The amendment is another instance like that of the Canadian tariff, of the useful influence this country may exercise over perfectly free colonial legislation.

Lord Grey strikingly describes the pauperizing effects of a gift made by this country to Newfoundland, in 1846–7, in relief of losses by fire, hurricane, and potato failure; and the general deterioration of the people by their dependence on one kind of occupation, and their habit of always leaning on the English Government for assistance. It has been lately stated officially, that, though much has since been done to increase the resources of the Island, one-fifth of the public revenue is now absorbed in poor relief.

The upset price of land is only two shillings an acre, and mineral wealth is everywhere showing itself. New copper-mines have drawn together a flourishing settlement, named "Notre Dame," just

outside the disputed limits of the "French Shore." The Atlantic Cable throws out a new channel of busier intercourse between Newfoundland and the commercial world; while a political lull seems waiting on Confederation.

Resolutions are already passed that the address of the Legislature to the Queen, which is the first step towards admission to the Union, and in this case no doubt conclusive, should be presented; and this Review may proceed upon the assumption of a speedily-completed eastern basis of the union, from which the further steps which Confederation must take in its path of progress towards the Pacific, will speedily follow.

VI.—HUDSON'S BAY TERRITORY.

From Canada to the Rocky Mountains there is no regular government, though the ownership of a large portion of that great tract of country is claimed by a trading Company, under a Charter which includes, with whatever rights, at all events the responsibility of government to whatever extent the increasing prevalence of mankind over the occupation by wild animals may call for government; and that question is rapidly coming to a crisis, at least in the neighbourhood of the 49th parallel of latitude, which forms generally the Treaty frontier, but no practical boundary to the American people.

Not only is the new Confederation of Canada evincing its vitality by eager aspirations for its own extension to the full limits of British power in that quarter of the globe, which implies its connexion with British Columbia and the Pacific Ocean through this intervening territory; but the already commencing lateral overflow of population from the States, especially Minnesota, upon it, and the northern discoveries of gold, make it clear that the loose tenure of such an enormous region by a fur-trading Company, under a very indefinite, though indisputable, Charter of the days of Charles II., cannot endure the test of impending trial.

The Company's territorial rights are decided, by a succession of Law Officers' opinions, to be past dispute at such a distance of time from their hazy origin; but the Charter, in distinct terms, connects with the rights entrusted by the Sovereign (who is the ultimate Owner still) the duties of government, which, with the opening survey and necessary preparation of the territory as it comes into human occupation, must, as all experience proves, absorb more than the whole possible revenue from the sale of the land.

The late Mr. Ellice and his colleagues sold in 1863 all the rights of the Company to a new Proprietary, who are naturally anxious, in the face of such coming liabilities, to secure their outlay; and, if possible, still to retain a share in

future enterprise, relieved by Canada of the charge of government.

Sir Edmund Head was made Chairman of the new Company; and at the same time a great telegraphic communication with British Columbia became a leading project connected with its enterprise.

Under the provisions of the Union Act, immediately after its passing, early in 1868, the Canadian Legislature made the stipulated joint address to the Crown for the annexation of the Hudson's Bay territory; and a brief sketch of recent events is necessary to elucidate the negotiations which led the matter up to this point.

In 1849, the House of Commons addressed the Crown for an inquiry into the Company's claims, as to trade and territory, under the Charter of 1670. The Company, being conferred with, declined to refer the question themselves to the Judicial Committee of Council, and asserted, through their Governor, Sir J. Pelly, that they had invariably exercised all requisite powers of government—the Canadian Courts having also concurrent jurisdiction. Sir J. Jervis and Sir S. Romilly then also affirmed their rights.

In 1857, Canada formally laid claim to much of the territory, and the Law Officers advised that, though the Crown could not fairly contest the Company's Charter or proprietorship, yet the Company could not be allowed to establish monopoly of government or of trade.

The subject was then referred to a Select Committee of the House of Commons, which recommended that Canada should be enabled to annex the Red River district for settlement, and that Vancouver's Island should be made a separate colony, and that the exclusive trading licence might be renewed over such parts as were not wanted for settlement.

Lord Taunton, as Colonial Secretary, offered these terms, and a reference of the question of boundary to the Committee of Council. Canada would not proceed to negotiation without the recognition of its liberty to dispute the validity of the Company's Charter before the Privy Council; and Lord Lytton, succeeding to the Office in 1858, let the trading licence drop, but offered to introduce a Bill enabling the Crown to take from time to time such portions of the Territory as might be required for settlement, and to test the validity of the Charter by a "*Scire facias.*" This offer the Duke of Newcastle repeated on his accession to office in 1859, but it was declined by the Company.

In 1863, the new Proprietary, above mentioned, made a series of suggestions, through Sir Edmund Head, to the Government, to the general effect that the Territory should be divided between the Company and the Crown, and that the Company should construct the great western thoroughfare and telegraph, the Crown paying them a third of

future revenue from precious metals, and a price for such land as might be wanted for military use.

In 1864, the Duke of Newcastle offered counter-proposals, namely, that the Company should surrender the Territory to the Crown; receive a shilling for every acre sold during fifty years, till the amount reached 150,000*l.*, and a fourth of gold revenue during the same time till it amounted to 100,000*l.*; and an adjacent square mile for every linear mile of road and telegraph constructed. The Company accepted the Duke's terms, conditionally on his taking off the limit of time of fifty years, or the substituting 1,000,000*l.* for the 250,000*l.* offered; but these conditions were declined by Mr. Cardwell.

A distinguished Canadian Minister, Mr. Brown, then delegated to England on this subject, disputed altogether the rights and the enormous claims of the Company; and called on the Imperial Government to extinguish them, and to let Canada undertake the government of the country.

In the spring of 1865, a larger delegation of Ministers from Canada, already referred to (p. 41), were associated with Mr. Brown, to confer with H.M. Government upon this and other subjects; and Mr. Cardwell's record of the result states that the Delegates undertook, if the Territory was made over to Canada, to negotiate with the Company, if assisted by Imperial guarantee, to raise the requisite funds for compensation.

The Delegates added a strong deprecation of

the formation of a Crown colony in the Hudson's Bay territory, which the Red River settlers had prayed for as a preparatory step to their being embraced in the Canadian scheme.

Early in 1866, Sir E. Head informed the Secretary of State that certain Anglo-American capitalists had offered to buy the available part of the Company's Territory to make a settlement upon it under an American form of government. Mr. Cardwell replied, that the subject must be altogether postponed till the completion of negotiations which were pending; but he forwarded the information to the Canadian Government, who acknowledged the urgency of an arrangement, but advised that it should be deferred till the Confederate Government, so certainly about to be constituted, could take the proceedings into their hands. In the beginning of 1867, Lord Carnarvon gave this answer to the Company, and told them that, though they were free to consult their own interests, it would be advisable for them not to anticipate or embarrass the progress of Confederation.

The Union Act then passed, and the new Dominion Legislature made the formal Address, above mentioned, upon receiving which the Queen is empowered by the Act to annex the Territory. They, however, asked simply for the government leaving the Company to make good their proprietary rights as they best might defend them in the Canadian Courts. To this submission of their rights to a

hostile jurisdiction the Company demurred; and, as it was decided to be fair that their reasonable satisfaction should be secured prior to the Queen's assent being given to the Canadian Address, the Duke of Buckingham immediately conferred with them, and proposed the basis of the Duke of Newcastle's last proposals for a renewal of terms of agreement. Long discussions were additionally protracted by the unfortunate sudden death of Sir Edmund Head. Lord Kimberley succeeded to the Governorship of the Company; and, at the Duke's request, the Canadian Government sent Sir George Cartier and Mr. Macdougal, representing each side of local politics, though both in the present Coalition Ministry, to present themselves in readiness for negotiation. The serious illness of Mr. Macdougal, and the change of our Government at home, further delayed proceedings; and only at the moment of my writing (March, 1869) is Lord Granville, as Colonial Secretary, arranging with Sir Stafford Northcote, who succeeded Lord Kimberley as Governor of the Company, terms for the transference of the Hudson Bay Territory to the Dominion of Canada, together with the government first surrendered back to the Queen. The Company will receive a sum of 300,000*l.* in compensation, retaining of course their stations and trade, and a right to a twentieth part of future settlements in the fertile belt, and a guarantee against any exceptional taxation.

The extent of the entire territory of Rupert's Land and the North-West is roughly estimated at 4,000,000 square miles, greater than the whole of Europe; but the belt between the American frontier and the North Saskatchewan, about 1000 miles long and 300 wide, is the only portion of immediate interest in prospect of settlement or of mining operations. To a part even of this the Hudson Bay Company lay no claim any more than to the North-West territory; as even the vague terms of their Charter—interpreted by them to mean the watershed into Hudson's Bay—do not include it. Through this belt a route for commerce and emigration is of the first consideration, and telegraphic and postal communication must be completed. A settlement of Indian titles, and an adequate police and judicial organization, have to be arranged, and survey made. The Company's present governors will become chief agents at trading posts, and principal magistrates. The Company's system both of a Governor-in-Chief of Rupert's Land, Governors and Councils of Districts, Sheriffs, and Magistrates, has placed many able and experienced men ready on the spot for the constitution of more complete and regular government; while of course their possession of the trade, and reserves of land, must continue to give the Company for some time a practical monopoly, and a large influence over a population including so many of their own dependents.

Serious complications, however, have already arisen from disputes between Americans and Indians traversing the border. The Act of 1 & 2 Geo. IV., extends to the Hudson's Bay Territory a possible external Canadian jurisdiction, given by the 43 Geo. III. But more organized authority on the spot is urgently needed. Questions of extradition are to be settled by the terms of the Treaty of Washington, 1842; and by the Act 6 & 7 Vic., 76, 1843, which gives effect to the provisions of that treaty. The exact line of boundary against the province of Quebec depends on interpretation of the Act of 14 Geo. III.; but, as Mr. Ellice sensibly said, it would cost more to litigate this point than, giving Canada all the government, to indemnify the Company without settling the point at all.

The Dominion will probably treat their new acquisition much as Congress treats a new territory, and a certain period of subordinate government must be passed through in preparation for co-ordinate provincial confederation; though it is to be hoped that no new provincial governments will be set up as anything more than mere municipal administrations, unobstructive to the ultimate fusion of the whole vast region under one Vice-monarchy, the centre of continental unity.

VII.—BRITISH COLUMBIA.

The last of the Queen's possessions in the North American group, both in date and position, is British Columbia, now including Vancouver's Island: of too recent history to come within Lord Grey's review.

My first official act in the Colonial Department, 1866, was to ask Parliament to authorize the Queen by proclamation to unite both these Governments under the least popular form of the two, against all my cherished sentiments on the subject. The cause I must relate.

In 1838 the Hudson's Bay Company obtained a licence of exclusive trade for twenty-one years over all of North America, which lies north and west of the United States, not within British provinces or other territory. In 1842 they sent Sir James Douglas on an exploring expedition westward, and in 1846 formally announced to the Colonial Office that they had explored and occupied Vancouver's Island, and applied for its possession, selecting for their port and capital Victoria, on its south-east coast, far up the straits of Fuca which divide the Island from the state of Washington, and through the disputed mid-channel of which the international boundary runs.

The Island had been first slightly occupied by some London merchants in 1778, and takes its name from Captain Vancouver, who sailed round

it in 1792, and fixed his station on it at Nootka-Sound, where a Spanish commandant, for a time, disputed his right. The harbour of Esquimalt, two miles nearer the sea than Victoria, and clear of the disputed islet of St. Juan, is considered by many a more available harbour for a great entrepôt to the commerce of that part of the world; and there is no rival Pacific port nearer to these two than San Francisco, 700 miles to the south. At Esquimalt it has been proposed that a naval dockyard should be constructed at English expense; but the idea of this country maintaining any considerable naval power in such a quarter appears chimerical, however desirable a good packet-station and ordinary docks for ship-building and repairs may be, or whatever reasons may recommend the existence of a great free-port where nature seems to indicate ultimately a certain centre of commerce.

In 1849 the Crown granted by letters-patent the Island of Vancouver and its royalties in free-socage to the Hudson's Bay Company; on specified conditions of settlement, and with a reserved power of resumption after ten years.

In 1851 Sir James Douglas, as Governor for the Hudson's Bay Company, reported great discoveries of gold on the mainland which was then called New Caledonia, about the Fraser River, which attracted so large an influx of speculators from California, that it was decided that the Queen must revoke the Company's exclusive-trade licence,

resume Vancouver's Island, and establish regular government in both island and mainland. In 1858, when Lord Lytton was the Colonial Secretary of State in Lord Derby's second Ministry, the 21, 22 Vict., 99, enabled the Queen to appoint, by Order in Council, a Governor over the latter under the name of British Columbia, having New Westminster for its capital; and temporarily to make laws for it, which were to be laid before Parliament; and the same Governor, namely Sir James Douglas, was appointed over Vancouver's Island, and Victoria was fixed to be his residence.

In the Island a representative constitution was at once freely established, consisting of a nominated Legislative Council, and an elected House of Assembly. The only stipulation with them was that they should make a fixed charge on their revenue for the civil list, the Crown-lands being placed at their disposal. But to British Columbia, somewhat later, only a Legislative Council was permitted, which consisted of five officials, five magistrates, and five members selected in some sort of communication with the inhabitants (excepting Chinese and Indians), by a quasi-electoral process. The local disposal of Crown lands and revenue was, however, entrusted to this body, subject to disallowance of their acts by the Crown.

In 1863 the complaints of the British Columbians against the distant location of the seat of joint government at Victoria induced the Duke of New-

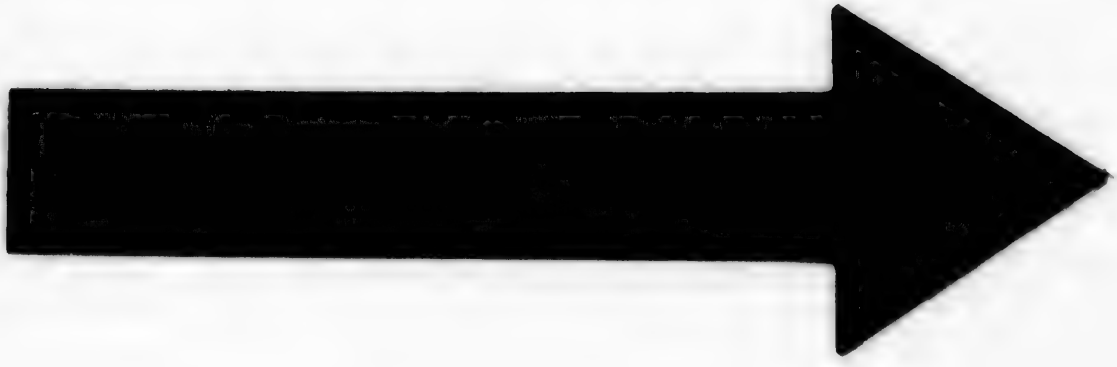
castle, then Colonial Secretary, "very reluctantly, "and solely in deference to feelings so strongly "expressed," to make separate seats of government at Victoria and New Westminster; and the Act 26, 27 Vict., 83, was passed defining the boundaries of British Columbia, and placing its government at New Westminster. The very next year Sir James Douglas reported that the Vancouver's Island Assembly, resenting the duplicated cost of government, had refused the stipulated civil list. They said that not only did the double official staff overburden their revenue, but that the separation of government created a mischievous rivalry of policy between their freedom of port and trade, and the system of revenue-duties in British Columbia. No doubt the gold of British Columbia also had its attractions in the eyes of the Islanders.

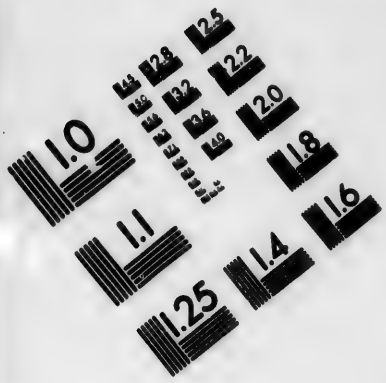
In 1865 Sir Arthur Kennedy, then the Governor of Vancouver's Island, reported to Mr. Cardwell, the Colonial Secretary, that his Assembly had passed a resolution, by the votes of eleven to four, praying for actual union with British Columbia, and deprecating any delay as fatal to their commerce. They even contemplated the resignation of their free port as a necessary part of the scheme—the more readily as their exigencies had already led them to trench upon its freedom. It was clear that the "London" of the united colony could not levy duties against its "Liverpool"

without embarrassing the general revenue, and probably spending half of it in repressing smuggling.

An uniform policy was, moreover, required for the control of the migratory Indians, passing constantly from one to the other; and, though a considerable opposition to union was maintained by the "free-port" party, yet the preponderating feeling increased so rapidly in its favour, that another and stronger petition soon came from the Assembly for a speedy decision; not, as before, with any stipulation for the union being under representative government, but "under any con-"stitution on which the Imperial Government "might decide."

Sir F. Seymour, the Governor of British Columbia, meanwhile had written from New Westminster, stating that his Legislative Council protested against the proposed union. They thought that under the joint governorship their interests had been sacrificed to those of the capital —Victoria—and that the chief part of the united revenue, raised in British Columbia, had been spent in Vancouver's Island. The Governor himself, however, advised the union as necessary for easement of the revenue, and uniformity of policy, and for amalgamation of the supreme judiciary, which had become highly desirable; and the sole question soon clearly was simply whether to spread the representative constitution of Van-





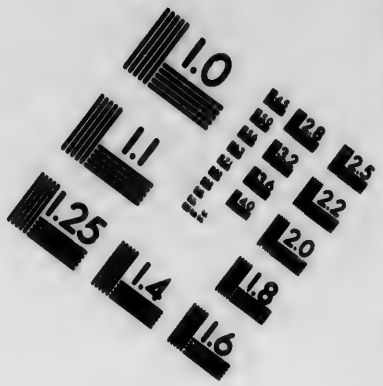
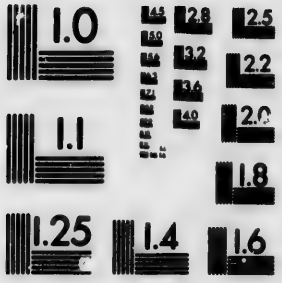
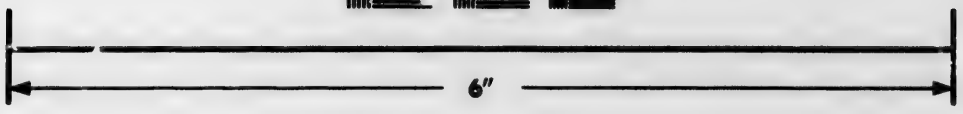


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couver's Island over both, or to reduce both to the form of government existing in British Columbia.

This question, after much discussion, seemed to be settled by the discouraging experience of the Islanders, of the working of their representative Assembly, for which their peculiar population, though fitter than that on the mainland, as yet offered no satisfactory materials.

British Columbia clearly was not ripe for representative government in the sense in which an ordinary English community of settlers anywhere is ripe for it at once. There were vast numbers of aliens who would be excluded from the suffrage, and who came to stay but a short while, few real settlers, and fewer who could devote themselves to the public service at the capital.

At length, in March, 1866, certain merchants and miners of British Columbia petitioned for the union, assigning as their reason the necessity of united revenue, and reduced cost of government. Upon this Lord Carnarvon, on the 30th October, 1866, informed the Colonies that Parliament would immediately be asked to complete their union; and an Act (29, 30 Vict., 67) was passed enabling the Queen by her proclamation to unite them, and extending the Executive and Legislative Constitution in British Columbia to Vancouver's Island, adding eight councillors for the Island to the fifteen already forming the Council. The laws

of each country were to remain in force till altered, but the customs' laws of British Columbia were to extend to the Island.

The Duke of Newcastle had foreseen, in 1863, that the desire for two seats of Government arose from a mere passing jealousy, which would give way to the more permanent reasons for consolidation. Perhaps no two territories lie together in the whole world more remarkably necessary to each other, and capable of making up, with their adjuncts in prospect, so rich an entirety by their various and universal contributions to the common wealth. When one also considers that the line of communication with them both from the older world lies through the fertile belt of the Saskatchewan, and across the Rocky Mountains by the easiest gradients, at the Vermillion and the Jasper-House passes, debouching on the Pacific in a great natural harbourage, equal to the San Francisco terminus of the parallel western thoroughfare through the United States; and that double telegraphic communication already connects New Westminster with England eastward, and with the north and south extremities of America, we cannot doubt the folly of parcelling out the first plot of such future greatness to meet the petty jealousies of temporary trading competition.

There has been a coquetting between the discontented spirits in Vancouver's Island, and even high officials in the United States, about the pur-

chase or annexation of the island by the American Government. Annexation is also the habitual talk of the roving American speculators who make up the passing population of British Colombia. The American Government has, however, alienated the more settled Colonists by narrow commercial jealousy. Their discriminating duties now so bar its neighbourhood, that British Columbia finds its nearest market for timber in Australia. But the Americans have held out tempting offers to desertion from the British flag in many ways, while it is hinted to the Colony that, as a State or Territory, it would have every kind of assistance from Congress in the development of its resources. It is true that it has its postal communication, even with England, provided through American agency by New York and San Francisco; its population is chiefly American; and the very conflicts of the Indians with American enterprise in the Sitka territory purchased from Russia embarrass our intervening government. Our great facility of Crown-lands sales, and the right of British subjects to pre-emptive acquisitions, to be optionally completed by payment after survey at a dollar an acre, tempts the eager grasp of the keen citizens of the Republic, who spare not even Indian reserves in the selection of their irregular squatting. At the same time the most perfect courtesy prevails in the intercourse of the two Governments, and we have recently allowed freely every means

of communication, both of troops and supplies, through our territory to Sitka.

Canada is, however, just as desirous of completing her dominion as the States are of extending theirs, and England will no doubt do everything in her power to favour the scheme of national enterprise in preference to that of foreign aggression. Probably Imperial England cannot, and should not, offer to British Columbia even the amount of assistance in her first establishment which the Congress of America would offer her as a Territory. Even the sending out, in 1858, a body of Royal Engineers, partly to assist in defending the country, and partly to spare the Colony the task of survey, has led to disputes about their expenses, which strongly illustrate the ill effects as well as thanklessness of such assistance. The Admiralty have recently agreed to survey the coast; but that is a service which the Colony clearly could not do for itself. On the other hand, the colonial police have shown adequate efficiency for the vindication of the law, and magisterial authority has been successfully maintained, even, with so small a force, in the riotous gold fields 500 miles away from the Capital. The roving hordes of gold-sweepers and shallow diggers are being succeeded by capitalist settlers, who mine deeply, and set up costly machinery and quartz-mills, and agriculture thrives in the consequently safer market. The calendar of violent crime is sensibly diminish-

ing; the illicit trade in spirits with Indians has been checked; and the disputes about the site of the Capital are settled by the final choice of New Westminster.

The only difficulty remaining in the way of prosperous advance is the still unsettled international dispute about the ownership of St. Juan, on which side of the mid-channel boundary that islet lies. It has been occupied by a joint garrison pending the dispute ever since the commencement of the civil war. Neither taxes nor laws meanwhile are there in force. In 1861, Lord Lyons was instructed to draft terms for a convention for agreement on the construction of the Treaty of Washington of 1846. There is also a Commission of both Nations appointed to settle certain possessory claims of the Hudson Bay Company in these quarters. We may hope that amicable arbitration will soon decide both the international and private question; and the united Colony will rapidly prosper, when these last disputes have ceased, and when the attention of more settled inhabitants may be concentrated on the development of its enormous wealth, and the opening of its thoroughfare east and west.

GROUP 2.—AUSTRALASIAN COLONIES.

THE second group of colonies possessed of representative government is the Australasian, which, if we adopt de Brosses's nomenclature, we may take as comprising Australia and New Zealand.

The English settlements in the vast island-continent of Australia originated in a search for some new depositary for criminals, when the independence of America shut up the previous outlets for national sewerage, and occasioned a dangerous accumulation of refuse population in our gaols and hulks at home.

Lord Grey devotes three letters (VII., VIII., and IX.) to subjects all then chiefly important in their connexion with Australia, namely, transportation, emigration, and colonial government.

Happily I need say little about transportation, except to congratulate this empire that it no longer vitiates its most essential enterprise, and myself that I had some share in putting an end to it. Lord Grey's letter on the subject, in fact, is little more than a record of the successive shifts through which the system staggered on to its

inevitable conclusion. It is now a bygone subject, due only to the limbo of national regrets. Its chief legacy (for the working gangs at Gibraltar are no more remains of it than those at Portland) is the obligation which still rests on us, from Lord Grey's last attempt to make it acceptable by sending out an emigrant for every convict, to continue further consignments of free emigrants to Western Australia, till we balance the account. Another relic, indeed, I fear there exists, in the traces of moral injury to the infancy of these offspring nations, from which South Australia alone wholly escaped. We have, moreover, a heavy fine still to pay, in the shape of continued contributions to the prisons, police, and asylums which we have so helped to necessitate and occupy. The costliness of this rough riddance of responsibility, the folly of mixing banishment with outward settlement, the attractive romance thrown over crime, and the degradation of the enterprise of emigration on the high estimation of which this island absolutely depends for continued prosperity, altogether make up an aggregate of suicidal policy with which we can scarcely conceive any other political blunder capable of comparison.

The final break-down of the whole system of transportation was naturally followed by a reform of our prison discipline, and of criminal treatment. Having to grapple, as we always ought, with the evil consequences of our own default, we began

to study the prevention of crime; and the institution of Reformatories, and of Discharged Prisoners' Aid Societies, and an increased interest generally in popular education, have resulted from our Government being for the first time confronted with the Nemesis of neglected duties and unjust laws. More rational criminal discipline will follow when the Legislature feels no longer embarrassed by the consciousness of its own default, and believes that it may cease paying its debt of education to the poor in the form and place of punishment. Long imprisonment of masses of the people feeding on the industry of honest people, in the vain undertaking to reform in gaols those whose criminal habits have grown out of the want of school, will give place to the shorter castigations which are suited to appeal to the fears of the much smaller number, whom unsuccessful education proves incapable of better motives.

On the kindred subject of emigration—the true as contrasted with the false mode of outward settlement—I shall also say little here, reserving it for a chapter to itself in the third part of my review. Lord Grey's seventh letter connects it specially with Australia, in reference to which the discussion about the right disposal of waste lands was rife at the time in which he wrote.

Mr. Merivale says (Lecture XIV.), "Slaves and "convicts being out of the question, the only "means of supplying labour was by free emigra-

"tion, and European immigrant labourers could "only be retained as labourers by circumstances "checking their passing at once into the position "of landholders." This was more easy to be done in Australia, where land is poor and wages high.

Mr. Wakefield demonstrated that a revenue derived from land sales, at a sufficient and uniform price, was the most obvious means of procuring the requisite labour, and keeping it long enough to be of service. The system of free grants was abandoned, except of sites for public purposes. Discussion confined itself solely to the question, what was the sufficient price, and whether it should be uniform, or tested by auction from a minimum upset figure.

The land-price was, in fact, a labour-tax on purchasers, by which all might equally benefit, and be equally supplied with emigrant labourers. It prevented speculators grasping land which they did not mean to occupy, furnished a fund for surveys, served to check the labouring class from too quickly becoming landholders, and, lastly, it promoted concentration of settlement. The "sufficient price" was a mere matter of calculation of what was wanted for emigration, and no index of a market value of the land.

Lord Grey adopted the principle of the Act of 1842, which made the lands alienable only by sale, and fixed at 1*l.* per acre the minimum upset price

for sale by auction, and stipulated that the gross proceeds should be applied to the public service of the colony, and one-half always to emigration. He maintained that the fund raised by sales of Crown lands was properly at Imperial disposal —as a matter of Imperial interest, but in trust for the benefit of the colony—and that so only it would be saved from jobbing. But he admits that at a certain stage of progress the disposal of waste lands may be safely handed over to representative colonial legislatures. An Act in 1846 gave power of leasing Crown lands for fourteen years, and so inducing occupiers to invest capital in lands merely occupied; and in 1847 a distinction was drawn, by Order in Council, between *settled*, *intermediate*, and *unsettled* lands, regulating sales by a more proportionate tariff of prices.

Great and learned was the controversy on the subject of land-sale among such writers as Gibbon Wakefield, Colonel Torrens, Poulett Scrope, Mr. Elliot, and others; and the Hudson Bay Company might have sooner modified their demands, had they studied it; as it never occurred to any one of the disputants that a revenue could be raised from the first sale of waste lands more than sufficient to supply immigrant labour, and the opening cost of surveys and roads—the returns being expected afterwards to arise out of profits from capital so attracted to the country.

By the use of the land fund, immigration was

largely stimulated; but the discovery of gold in 1850, and the commencing cessation of transportation, gave an impetus and removed a barrier, so as doubly to cause a tide of population to come in, overwhelming all the previous channels, and changing every plan of Australian colonization.

As to the correlative English consideration of the providing by emigration for a redundant population, it seems to me an incomplete question taken in this single view. The excess of supply over demand can be rectified in two ways, and the statesman's business is to give every facility for self-adjustment. His object should be to offer the freest vent to population at all times, and to permit no needless barrier to stand in the way of the free expansion of a nation, to liberate from pressure of poverty those who have not room at home, but have health and strength to occupy fresh space, and supply themselves with the earth's abundant bounty; as well as on the other hand to stimulate to the utmost the demand for labour at home.

All the Australian colonies, except Western Australia (where the Crown still retains its right) have, by the 18, 19 Vic. 56, 1855, power now to dispose of their waste lands, and have modified the regulations of sale, reserving the upset price for auction, but allowing a mode of deposit for pre-emption, which may be completed, if desired, after three years' occupation. They have made a further

classification of lands into *town*, *suburban*, *rural*, and *mineral*. In each colony, Acts have been passed on the subject, making somewhat different regulations. Victoria, South Australia, Queensland, and some provinces of New Zealand, are the only colonies which now vote grants for assisting emigration to them from England.

But Lord Grey's ninth letter, on constitutional changes in Australia, is more properly the subject of my review. He begins with the Act of 1850 (13, 14 Vict., 59) for the better government of the Australian Colonies. This was the first step in the way of enfranchising Australian governments from the swaddling clothes of the debased period of our policy, during which they had all been born; and, as Lord Grey observes, the Act was very fully, and warmly debated in both Houses of Parliament. The object of the Act was stated on its introduction by Lord John Russell to be "to train these Colonies into a capacity to "govern themselves," and English statesmen were scarcely ready then even to train them to such presumption.

In 1842 New South Wales had received a Constitution, by the 5, 6 Vict., 76, somewhat widening its first merely official government, of the hybrid form, a cross between autocracy and representation, meant to breed something purer, but evincing a mulish recalcitrancy and unproductiveness. It consisted of a Legislative Council of thirty-

six members, one-third of them being nominated by the Governor, and two-thirds elected by the people.

To this stage of advancing freedom of government to which New South Wales had arrived, the Act of 1850 proposed to admit Van Diemen's Land, and South Australia, and a new colony to be called Victoria which Lord Grey cut out of New South Wales; and to invite West Australia to accede so soon as it could pay its own expenses. Power was given to all to reform themselves. Lord Grey says that he at first intended to carry reform further at once, and to give all these Colonies, including New South Wales itself, a double Chamber of Legislature and larger development of constitution; but he was deterred by the opposition of the colonists—an opposition which attached only to the particular constitution of their Upper House which he had proposed. He also expresses regret at the failure of the provision made in the Act of 1842 for creating municipalities, which were intended to serve as intermediate electoral bodies between the people and the Legislature, and which he would have liked to establish generally.

On so important a measure as this Lord Grey resorted to the Board of Trade for advice. The Committee of Privy Council for Trade and Foreign Plantations had originally contained within itself the germ of the present Colonial Office, when colonies were self-governed, and commercial matters

alone were referred home. But when colonial self-government ceased, the Office of occasional reference became the head-quarters of general government; and, though the Colonial Office had sprung out of it, and significantly connected itself with that of War, so that Lord Derby wittily described it as the Office at war with all the colonies, Lord Grey on this occasion made it revert to its original connexion, recruiting, however, the power of the Board of Trade for the unwonted function of advice on constitution-making, by adding Lord Campbell, Sir James Stephen, and Sir Edward Ryan to its ordinary members.

The Report which resulted was circulated through all the colonies, and, by the statement that "in the ancient possessions of Her Majesty's Pre-" decessors, now the United States, and in all other " colonies there prevailed until the nineteenth cen-" tury a Legislature of three estates, the Sovereign, " a nominated Council, and an elected Assembly," misled them, in their approaching self-reforms, to treat the Sovereign as one of the Estates of her own realm. Parliament, indeed, is stated in the Report, to have taken upon itself to establish these three Estates in Canada; but it is added that up to that period in the nineteenth century neither the Crown nor Parliament had introduced the old colonial policy in any of sixteen new possessions, nor had any one of them, except New South Wales, had any electoral franchise granted to

it. But in those colonies which had been acquired by occupation, a Legislature composed, in part at least, of representatives of the people, had been considered a matter of right, such as could only be dispensed with for a while, and that by Parliamentary sanction; and that the dormant right to such a Legislature was from the first recognized, and promised so soon as causes temporarily forbidding it should cease. This pledge the Board considered to have been redeemed in 1842 with New South Wales, except so far as the combination of the Council and Assembly in one falls short of it; and the Board's final recommendation was that the other Australian Colonies should have governments in conformity with this type, giving them, however, the power to amend their own constitution with the assent of Parliament. Such was the advice of the Board of Trade.

Lord Grey, in humouring the colonists with this mixed form of government, which they were supposed to desire, became so enamoured with it himself that he dilates on the advantages of a single chamber of legislature for all colonies, comprising the popular element and its required check in one—so difficult he thought it to create in colonies a substitute for the House of Lords.

Mr. Lowe is in search of means of making the House of Lords itself a more effective check on our impulsive House of Commons, and he might gain a hint from Lord Grey's following panegyric on

the effects of a senate when coupled with its twin Estate in joint Legislature. "Considerable "advantage arises from the presence in the Legis- "lature of a certain proportion of members who "do not owe their seats to popular election, but "being only one-third of the body can never pre- "vent the passing of measures which are strongly "supported by public opinion, but only secure "their being fully discussed, and not passed with- "out previous consideration of any objections to "what may be the mistaken demands of an excited "and ill-informed popular feeling. Able and up- "upright men may fail to be elected from the "very qualities which make them desirable." Possibly the unelected House of Lords might be found to work in this way more effectively inside the excitable House of Commons. But Lord Grey provided still further check to immature legislation, by empowering the Governor (I suppose as his own third estate) to return Bills for re-consideration with any amendments of his own.

Such was the training step towards self-government which redeemed the pledge for constitutional rights to New South Wales in 1842, and was extended to the other Australian Colonies, except West Australia, by the Act of 1850.

With every wish to give them at once their full constitutional franchise, it seemed that all Lord Grey could give, and possibly all he thought desirable for them, was this partly-elected Council,

with powers of self-reform—powers which an Act of 1855 now confers generally on representative legislatures in all colonies.

The New South Wales Legislative Council remonstrated against the Constitution Act as still retaining in the hands of the Crown the control of waste lands, customs, and civil list, and the veto on their local legislation. They considered that the high land-price, which the Crown insisted on, diverted immigration from them. Yet the half of this land-sale fund, which was reserved by the Crown for their immigration, was largely supplemented by Imperial grants, and the other half was also devoted to colonial purposes.

In 1852 Sir John Pakington, as Colonial Secretary, circulated through all the Australian colonies a despatch offering to repeal the Land Sales Act, so as to give up altogether on the part of the Crown the control of this important branch of colonial revenue, on condition that they would establish for themselves constitutions, under the powers given them by the Act of 1850, on the Canadian basis, only appropriating permanently a civil list sufficient for their government.

I.—NEW SOUTH WALES.

The original government of Botany Bay was suited to the idea of a transmarine prison establishment; and a vice-admiral and judge, with their

necessary suites, completed the executive and legislative requirements of the settlement, and the tribunals decided on verdicts of a military jury.

In 1823 a Council was added to the constitution of government. We have already noticed the reform of 1842, and the powers of further amendment given by the Act of 1850, which, under Sir John Pakington's encouragement, were exercised in New South Wales in 1853. The Legislature was then divided into two Chambers, namely a Legislative Council, of twenty-one members, nominated by the Governor, but not less than four-fifths always being unofficial; and an elected Assembly of fifty-four members. Both Chambers were of quinquennial duration. The electoral franchise was given to all men, of age, unconvicted of crime, and having paid up their rates.

The revenue was charged with a Civil List, including a public worship fund, amounting to 64,000*l.* a-year, conditionally on the Crown-lands being surrendered to colonial disposal, which was done; and power was also conceded to the colonial Legislature to impose whatever Customs' duties it pleased, provided only that they were in no way differential.

Some clauses in this provincial Constitution Bill, proposing to limit the authority and veto-power of the Crown, were disallowed as *ultra vires*.

In 1855, full power was given to complete this

Constitution as amended, by the Imperial Act, 18, 19 Vic. 54; and the 56th chapter of the same session finally gave up the waste-lands on the part of the Crown.

In 1859, an Electoral Act was passed by the New South Wales Legislature in substitution of former Acts, adopting the ballot-box to expedite the process of polling their manhood suffrage, and dividing the newly-discovered gold-fields into fresh electoral districts.

The discovery of gold, and silver, and copper, but chiefly the attractive wealth of the most precious metal, opened a new era in Australian history, gave the *coup de grâce* to transportation, and broke the last possible link of home control. Nothing now remains to be effected but the gradual completion of self-government in its department of self-defence, and the aggregation of provincial power, to make available the full local resources both of wealth and vigour.

The establishment of a Mint at Sydney, making sovereigns which are legal tender throughout the British empire, and treated as Imperial coin, was a most significant concession from English royalty, and an augury of the world-wide destiny of the empire.

Various kinds of federal action between the different colonies of Australia had already begun to be talked of when the present Lord Taunton was Secretary of State, and with English instinct

the principle will probably be adopted in instalments, as need may dictate.

The local institution of volunteer forces, both land and naval, has slowly germinated under the superincumbent weight of English garrisons. Regular returns of their strength begin to appear in the Blue Books of New South Wales from 1864. The last Blue Book sent from Sydney in 1868 by Sir John Young (whom, in right disregard of political party, the Duke of Buckingham promoted to the command of the new Canadian Dominion) gives a most graphic and satisfactory account of the progress of the Colony.

Products, increasing both in amount and in kinds (*e.g.* wine, olive-oil, silk, and glass, cotton alone ceasing, and gold somewhat declining), large exports of meat, reducing the amount of former waste of flocks of sheep boiled down to tallow, from that of 44,000 head in one year to 2900 the next, and the loud demand for men, evince the vigorous expansion of the empire in that quarter.

The Providence, which meant variety of climate to create commerce and industry among mankind, invites us here to mutual enterprise; by the contrast of squalid crowds penned up in our filthy alleys, praying for food; with kindred settlers wasting food, and praying for men in these wide outskirts of empire.

The whale and seal fisheries are diminishing in the South Pacific, though favoured by exemption

from port-dues at Sydney, and Hobarton, and in New Zealand.

The attraction of the gold-field has made labour more scarce and costly for agriculture in New South Wales, and for a time has actually depreciated property, and, by Mr. Dilke's account, made this wheat-growing country a yearly importer of half-a-million pounds worth of wheat. Commercial panics and bad seasons have increased difficulties. But the great political struggle going on between the party desirous to open up the land for occupation, and the old squatting monopolists trying to hold their position, has chiefly checked agricultural immigration—the labourers having now the ascendant influence, which they blindly use for their protection from competition. These, we may hope, are only evanescent causes of temporary obstruction to a prevailing course of progress.

Norfolk Island, 800 miles distant, now the paradise of a philanthropical settlement of hermetically preserved Pitcairn-islanders, descendants of the mutineers of the 'Bounty' of 1798, once the hell of hells of the transportation system, was separated from Van Diemen's Land in 1856, and is now put under the care of the Governor of New South Wales, and is beginning to be opened to the commerce of the world. Being much nearer to New Zealand, it is a question whether it might not be better annexed to that Government.

II.—VICTORIA.

The portion of New South Wales which lies south of the River Murray, formerly called Australia Felix, was made a separate District in 1838, for a population attracted by its fresh pasture-grounds and cooler climate, and was established as a distinct Colony by the Constitution Act of 1850. The name Victoria was substituted for Port Phillip, not only as an expression of loyalty to the Queen, but to obliterate painful recollections connected with the name of the excellent naval Officer, who discharged the disagreeable and difficult task of taking out the first batch of convicts to Australia and governing them.

The Act of 1850, as has been stated, gave Victoria the contemporary form of government of New South Wales, but with power of self-amendment.

In the following year occurred the discovery of gold near the capital of Melbourne, and soon after in other places, which revolutionized all plans of colonization; and drew such a tide of immigration on the scene from every quarter, as even to this day to have drained the neighbouring country of its requisite supply of labourers. The gold raised in Victoria, now less plentifully than at first, amounts altogether already to the value of 150,000,000*l.* sterling.

By a Colonial Act in 1854, confirmed by the

Imperial Act 18, 19 Vic., 55, the Legislature exercised the powers of reforming itself, which were given by the Act of 1850; and substituted for itself a Council of thirty members, elected for six provinces, one member retiring every two years; and an Assembly of seventy-five representatives of forty-nine electoral districts. Both Houses were constituted by election, but both electors and elected were at first required to possess a considerable property qualification, a stipulation, however, which in respect to the Assembly was abolished by a Provincial Act in 1857; and the Assembly is now elected by manhood suffrage for a term of three years, and by ballot. The same condition was coupled with this Constitution Act as in the Act of New South Wales, namely, that the Waste-Lands Act should be repealed, and that the entire control and disposal of land should be given up by the Crown.

The Colony has anticipated, as seems likely to be a frequent occurrence, an improvement we are only now debating; namely, the substitution of written nominations of candidates for elections, for the useless clamour attending their public presentation to the people.

Sir Charles Hotham was the first Governor under the new constitution, and during his brief career, cut short by death in 1855, he did much to launch the free government into constitutional exercise, and to inaugurate many useful institu-

tions. He especially established municipalities for local administration.

In his last despatch, reflecting chiefly on evils concomitant with the advantages of gold discovery—the violence which culminated in the Ballarat riots, the difficulties of raising revenue by exacting license-fees for getting gold, the scourge of Chinese immigration as then conducted, the sensitive dread lest convicts should get into the Colony amongst the rush for gold—he sums up the list of embarrassments, through which the Constitution had had to be launched, in this touching way:—"I found a revenue nearly "two millions deficient, the Colony undergoing a "severe commercial crisis, the questions relating "to the disposal of waste lands unsettled, the "people ready to go any lengths in resisting "the admission of any who had ever been con- "victs, discontent in the gold-field, and large pub- "lic meetings of unemployed labourers pressing "hard upon the Government to make provision "for them."

It was in the autumn of the year when Sir C. Hotham died, 1855, that the Imperial Act 18, 19 Vic., 55, confirmed the Colonial Constitution Act, accepting all its conditions. That Act stands amongst our statutes between the 54th, which similarly confirms the Constitution of New South Wales, and the 56th, which repeals the Waste Lands Act, surrendering the control of the Crown,

and no sooner was it received than Victoria was in a fever of electioneering.

The new Legislature was summoned by the new Governor, Sir H. Barkly, in November, 1856.

The great influence of the labour-class, resulting from manhood suffrage, was soon displayed by vigorous opposition to further immigration. Crowds, loitering in towns, standing out for the highest wages, exhibited a people pursuing narrow interests, and incapable of larger views. But freedom works out its own correction, however roughly, better than the wisest dictation. Many rose gradually from labour into the class of the smaller capitalists, who in 1865 passed the Act for facilitating acquisition of land against the squatter monopolists, and as eagerly promoted as they had formerly opposed immigration. So commenced the agrarian struggle which has recently tested, but no doubt strengthened, the framework of the constitution.

A series of rapid Ministerial changes illustrated the new life of self-government, and evinced the trial of new powers working their way to their permanent adjustment. Twelve Ministries succeeded each other within four years. O'Shanessy and the squatting aristocracy pitted the power of the Council against that of the democratic leaders of the Assembly—Nicholson, Verdon, Huntly, and McCulloch—whose cry was facility of land pur-

chase, protection to native industry, and reductions in the civil service.

The protectionist Customs Bill became the *champ de bataille*, and early in 1865 the Assembly attempted to force it through the Council, by including it in the Appropriation Bill which the Council could not alter. The Council, however, boldly threw out Supply Bill and all, and in December the Legislature was again dissolved. The Governor, Sir C. Darling, then raised means to carry on the government by fictitious actions under the "Crown Remedies" Act, which course was condemned; and ultimately his relations with his own Executive Council became such as, by his own admission, necessitated his relinquishment of any attempt to govern in concert with them.

Ultimately the Tariff Bill was passed.

Then came a fresh struggle, on the Assembly attempting to testify their sympathy with Sir Charles Darling by a vote of 20,000*l.* as a parting present to him, or to Lady Darling by way of evading the regulation forbidding presents to Governors.

The Legislative Council rejected the Appropriation Bill in which this vote was concealed.

Sir Henry Manners Sutton, who had succeeded to the government, simply allowed the initiation of the vote by his Ministers, who had the undoubted confidence of the Assembly and of the people.

The Regulations, which prohibited a Governor

from accepting a present, were powerless to prevent Sir C. Darling's acceptance of this vote, as he had renounced the service, and so put himself out of reach of penalty.

The struggle lasted during 1867 and most of 1868, through a series of ministerial and constitutional crises, trying, but never violating the organization of the Government.

At length Sir C. Darling, repudiating altogether the acceptance of any such grant, was allowed to withdraw his renunciation of the service, and so the struggle ended, leaving the combatants perhaps firmer in their places for having ascertained the limits of their strength, and the ex-Governor still open to receive the benefits to which his long and valuable services to the Crown fairly entitle him.

The Secretary of State was blamed by some for not having prevented the Governor from allowing this vote even to be submitted to the Legislature. The critics said that the vote was repugnant to the Queen's regulations, and therefore the Queen's Representative ought not to have let his Ministers initiate its discussion in the Colonial Parliament. But, to say nothing of the regulation having become incapable of enforcement by Sir C. Darling's putting himself out of reach of the penalty, or of the merely ministerial nature of such initiation of discussion, the vote was recommended by a Ministry having the overwhelming support of the representative body and of the colonists generally; and

the refusal of the Governor to let his Ministers submit the vote to discussion would have been immediately followed by an Address to himself compelling them to submit it, or by the resignation of a Ministry whom he could not possibly have replaced.

The first point in the process of legislation at which the Governor could have constitutionally interposed was after the Bill, which he formally initiated, had passed both Houses; when he might have exercised the Queen's prerogative, by a veto on its completion. If he had in the first instance thrust the Queen between himself and his responsible Ministers, and forbidden them to let the Legislature even debate a vote of their own money which they desired, he would have turned the dispute, which was constitutionally raised between the two Chambers expressly established to check each other, into a fatal contest between the Colony and the Sovereign.

In the debate of the Lords on the subject, May 8, 1868, Lord Grey took the view that, unless the Crown could so enforce upon a colony a departmental regulation of the service, it would be better to affect no authority in the Colony at all; but the Lord Chancellor, Lord Cairns, made it clear that this view merely evinced an imperfect appreciation of constitutional principles as applied to a colony.

A far more agreeable Victorian event was the mission of Mr. Verdon to England to offer a naval contribution to Her Majesty's service.

Mr. Cardwell deserves lasting honour as the author of the Colonial Naval Defence Act, 28 Vic., 14, which empowers any colony to maintain vessels of war and seamen under Her Majesty's command. As the first-fruits of this Act Victoria offered a fifth part of an outlay, in her naval equipment, of 125,000*l.*, the constant maintenance of a vessel and its armament, the creation of a naval reserve, the establishment of a training-ship, and the construction of a graving-dock.

The Colony had already spent 1,000,000*l.* on local defences, besides paying the Australian contribution of 40*l.* per soldier, and 70*l.* artillery-capitation; and had furnished a colonial government steamer, and kept up a naval volunteer brigade of 300 strong.

This falls short of the pristine self-defence of our colonies; but is a great step in recovery from the nadir of public spirit to which they had descended. There were indeed disagreeable traces of past pauperization in the arguments adduced by Victoria for the largest share of the cost of her defence being still charged on English taxation; such as "that in Colonial commerce "most of the shipping belonged to Englishmen," which, if anything, rather proved that the partnership required to be equalized the other way. But it is some advance for one Colony to have arrived at the idea of any partnership in its naval defence.

Materials for the ship 'Cerberus,' an armour-plated monitor, were furnished from English dock-yards to be put together at Melbourne, but the ship is now being constructed in this country, and H.M.S. 'Nelson,' a wooden line-of-battle ship, has been sent out as a present.

The military strength finally agreed upon, to be kept on the Australian rate, was five companies of infantry, and the Colony desired all the Royal Artillery to be withdrawn. Some Royal Engineers have been sent out to plan shore-batteries for the defence of Port Phillip.

This smallest in area, but largest in spirit, of all Australian colonies, has taken the lead in advances towards federal action. The resolutions passed at a Melbourne conference, relating to distant postal service, have brought almost to an agreement the rivalry about route. Intercolonial extradition and reciprocal free-trade have also been promoted by the liberal policy of Victoria, while the narrower policy of New South Wales in favour of intercolonial duties, and proposing only to free the transit of the river Murray, incurred the condemnation of the Board of Trade.

We must not, however, be too impatient for federal concert among settlements still fringing only two-thirds of this gigantic territory, at such enormous distances from each other.

Every development of their individual freedom in self-government tends to elucidate their common

interests, and even through the sieve of jealousy to cull the materials of general co-operation, which some congressional executive may one day undertake out of reach of the local barriers to general policy.

III.—SOUTH AUSTRALIA.

This Colony was, in 1836, started upon a theory advocated by Edward Gibbon Wakefield, or, as he said himself, on his theory spoilt by Lord Grey. Its main idea was self-support, and a supply of labour obtained by means of a revenue raised by land-sales at a sufficient price. An impartial control over this revenue capitalized by anticipatory loans, was proposed to be secured by a Commission sitting in London (one member only residing in Australia), and independent of the Governor and his Council on the spot. This Australian "Board of Control" produced in South Australia the same mischief of double government which were before exhibited in India. It grew, in 1840, into the present general Colonial Land and Emigration Commission; and Parliament, having helped the South Australian scheme out of difficulties, which did not so much spring from its theory as from extravagance, mismanagement, and this double government, left the Colony very much to local administration, with which it has proportionately thriven.

English convicts were, by express stipulation, excluded from ever being sent to this country. Labourers are brought out from England at the expense of the Colony, selected by their own Agent in London.

In 1851, the gold discoveries in Victoria quickened the commencing desertion of South Australia, but the outrush was wisely not discouraged or impeded by the Provincial Government, but rather tempted by every inducement to take the character of outward enterprise for fresh wealth, which might return and enrich the temporarily deserted home.

By the Constitution Act of 1850, which offered the Australian colonies in lieu of their Legislative Councils the more representative form of government of New South Wales, South Australia assumed a Legislative Council one-third nominated by the Crown, but with full powers of self-reform, subject only to the Queen's confirmation.

In exertion of these powers, and invited by Sir John Pakington's circular of 1852, already mentioned, a Provincial Act was passed in 1854, and assented to by Order in Council the same year, which divided the Legislature into two Chambers —a Legislative Council of twelve nominees for life, being natural subjects, and thirty years of age; and a House of Assembly of thirty-six members, elected for three years, by constituencies with very considerable property qualifications.

No sooner, however, was this Act passed, than

desires were expressed for its reconsideration, and the Crown was addressed to suspend its confirmation; and in 1856 an amended Act was substituted, in which the chief novelties were the adoption of the principle of election instead of nomination in the constitution of the Council, the increase of its number to eighteen, one-third retiring every four years, and the addition of three years' residence to the qualifications of its members.

The qualifications for the Assembly were then left unaltered, namely, a 50*l.* freehold, 20*l.* household, or 25*l.* occupation tenure; while the electoral franchise was simply that of natural born, or naturalized manhood, qualified only by three years' residence. A subsequent Act (No. 20 of 1861) has rendered anyone so capable of voting eligible to the Assembly.

The trade of South Australia is steadily rising, and has doubled in the last eight years. The boundaries of the Colony were extended northward, by Letters Patent, in 1863, and the north territory exploration has just been completed by Captain Cadell; and, by a resolution of the Legistive Assembly, that territory is to be immediately surveyed.

IV.—TASMANIA.

This beautiful island, with more congenial climate for our race than exists in any other part of Australia, and perhaps with greater capabilities of all kinds for colonization, took, by Order in Council, in 1855, the name of its original Dutch discoverer, Tasman, in order to wipe out the odious and damaging transportation-stigma which, though removed from New South Wales in 1841, continued to brand Van Diemen's Land till 1853.

There are still thousands of our old convicts in Tasmania, and of their progeny both of blood and caste. We contribute to the cost of the prisons and police of the country on their account; and much of the stagnation of its industry is traced to the evil effects of employers having so long relied on such a supply of forced labour, equivalent to a species of slavery. (See Dilke's 'Greater Britain,' II., 97.) It is difficult to say whether the mother-country, the convicts, or the colonies, were the party most injured by a system which boasted of relieving all three from burdens and liabilities.

Separated from New South Wales in 1829, but under a continued form of official government which had been constituted in 1825, this Colony was in 1850 included in the provisions of the Australian Constitution Act, and empowered, in common with the others already mentioned, to

adopt the form of Legislature of New South Wales, consisting of a single Chamber one-third nominated by the Crown, with powers of self-reform. These powers were exercised in passing the Provincial Act of 1855, which set up the existing Parliament of Tasmania, consisting of a Legislative Council of fifteen members, elected by a property-qualified constituency, having only a birth, age, and residence qualification themselves; and a House of Assembly having the same qualification excepting the twelvemonths' residence, elected for five years by a lower suffrage. The elections are conducted by a ballot said to be really secret; but the constituencies are restricted to a higher class than in any other Australian colony.

The general condition of this Colony is not so thriving as when, in its earlier days, it took the lead in enterprise, established whale and seal fisheries, and occupied what has become the sister Colony of Victoria. Immigration and settlement proceed with a slacker pace, and commerce fills not the great harbours, but is declining, and the public debt is 1½ million sterling, or four times the yearly revenue. It is, however, creditable to the spirit of the Colony, and a lamentable reflection on what mischief we have done, that, much as labourers are wanted, they join with the sister colonies in barring any further influx of convicts, and in begging us to send away from them our remaining convicts, confined though they are

within Tasman's peninsula, to the sole remaining applicant West Australia, and so to rid them both of our criminals, and of all our concomitant interference with their local institutions.

The amount of unpaid labour, which our convicts once supplied them with, no doubt gave an artificial stimulus for a time to production, and the large body of troops sent to guard our convicts increased the colonial imports for consumption; but social mischiefs soon outweighed all such advantages, and were admitted by Lord Grey, in the debate on the Act of 1850, to have become so frightful that he was forced to apply his favourite remedy of dilution to the evils of his cherished system of transportation, and, by introducing free immigrants and settlements of military pensioners, to compensate the infliction.

A junction of the Government of this Colony with that of Victoria has been mooted, as if some such economy of government and enlargement of interests would be beneficial to a community which has been so stunted in its growth and vitiated by original maltreatment.

The Colony, naturally more intent on retrieval than on progress, declines at present following the example of Victoria, as it was at first inclined to do, in naval undertakings; proposes to decrease its militia; asks for no more artillery trainers, and is for lowering the Governor's salary, which, however, it has not been permitted to do.

By the last accounts the revenue is more prosperous, and public works are increasing; for instance, a railway is being made from Launceston to Hobarton, and a cable laid under Bass's Straits to Victoria. Education is more largely provided for, and an Act has been passed granting 15,000*l.* a-year, to make up the loss of our contributions, for religious worship, many clergy having been hitherto paid by us as chaplains to our convicts, or as missionaries. We have commuted these charges for 100,000*l.*

Tasmania also passed an Act to promote intercolonial free-trade, falling in with the Victorian lead towards Australian federal action; but the Act, not fulfilling our requisition of unreserved abstinence from differential legislation, has been disallowed. Advances are being made towards the establishment of a Customs union, and uniform tariff, which the Queen has expressed her readiness to sanction, and even encourage.

V.—QUEENSLAND.

The Colony of Queensland was separated from New South Wales by an Order in Council in 1859, and has a territory assigned to it which is more than half as large again as Hindostan. Stretching from the 10th to the 26th degree of south latitude, and of course subject to many varieties of warmth of climate, from that of the tropics to a temperature

in the higher levels perfectly congenial with English constitutions, this territory is capable of very various uses and productions. Cotton, sugar, and tobacco can be cultivated in parts, and gold, copper, and coal are increasingly found. Sir George Bowen, who was the first Governor, and who has only just been succeeded by Colonel Blackall on his promotion to New Zealand, is a man of such high public spirit, energy, and intelligence that he has kept the Colony always in active interest about its public questions, and this country in full information of its proceedings.

The Legislature was at once made to comprise two Houses—a Council of twenty members, nominated by the Governor for life, and an Assembly of thirty-two members, elected by ballot for five years, in twenty-two districts. The ballot was adopted by a local "Electoral Act" in 1859, the year of the Colony's foundation. The qualification of electors, at first taken from the New South Wales Act of 1854, has been modified by the Queensland Act of 1866, but retains the somewhat high property standard.

A ministerial crisis occurred in 1866 on the question of issuing inconvertible paper currency as legal tender, in a scheme for raising 1,000,000*l.* to meet monetary difficulties; which proposition Sir G. Bowen firmly resisted as contrary to his instructions, and indeed to the spirit of Imperial legislation, which from the first adopted Adam

Smith's arguments against colonial paper-money being permitted as legal tender.

The Macalister Ministry went out on this question, and was succeeded by that of Mr. Herbert, who is now in the Board of Trade; and who met the immediate emergency by substituting the smallest possible number of exchequer bills for the condemned *greenbacks*; and a Government bank of issue has since been established.

Some of the colonists petitioned for Sir G. Bowen's recall on the ground of this exercise of power, and what they called his unconstitutional inducement of a change of ministry, but he soon outlived the popular resentment against this necessary check upon their proceedings by the legitimate exercise of the prerogative.

The chief danger of the democratic spirit of colonial constitutional freedom, is not that it chafes too violently against the barriers placed against it, so much as that it is always making sacrifices to local popularity in dispensing public resources.

Political strife is subsiding in Queensland under a current of golden prosperity, though just at this moment somewhat abated. The influx of gold seekers has raised the population since 1859 from 23,000 to more than 100,000; so as to have occasioned a necessity to increase and redistribute seats in the Assembly.

The revenue trebled itself in Sir G. Bowen's time, and at its present amount of 800,000*l.* pre-

sents a considerable surplus over expenditure. Ministerial crises and coalitions have borne witness to the political vitality of the Colony, though the duration of one administration for six years is quoted as a case of official longevity unprecedented in Australia.

The wealthier people begin to settle down in security, and build themselves houses and churches. That class are now in the sunshine of power, Mackenzie, the Prime Minister, being a leader of the squatting interest.

Immigration is spiritedly invited—all eligible immigrants, arriving at their own cost, being offered land-orders freely on arrival.

South Sea Islanders have been brought to Queensland in large numbers, and though the system has been accused of cruelty, and murders have taken place in revenge of, what has been erroneously confused with it, the Fiji kidnapping, it appears that as complete precautions have been taken by the Colonial Government against any abuse of the system as can be taken, and as complete as have been taken by us in the regulation of the Coolie emigration from India to the West Indies.

We keep only one company of infantry in Queensland, the colonists contributing the Australian capitation-rate of 40*l.* per man. The Admiralty have withdrawn some marines who were employed in unsuitable work, as guards

against natives, a sort of service much better performed by police. The Aborigines are supposed to number about 15,000. There are artillery volunteers already tolerably well organized in Queensland; and the Colony has certainly distinguished itself in the degree in which it has undertaken its own defence against natives. A new settlement was some years ago made near Cape York, where a good harbour of refuge and a water-police have been established. It is a singular instance of the prevalent idea that it is the Englishman's business to supply his colonial fellow-subjects at any rate with every sort of aquatic defences, that we have been asked by these spirited Queenslanders to forego their military contribution for a time in consideration of the cost they have incurred in the establishment of the Cape York water-police, which they consider they altogether went out of their way to undertake.

The cotton grown in this country was lately pronounced by Manchester judges to be the best in the world; and when we consider the variety of productions within its limits, and that on the other hand its people are consuming per head 22*l.*-worth of English manufactures yearly—more than any other of our customers—we cannot too highly value its connexion with us. Queensland manifests, what recent philosophers have not perceived, that colonial self-dependence is rather the life than the death of mother-country connexion.

VI.—WEST AUSTRALIA.

Edward Gibbon Wakefield, in describing his South Australian scheme ('Art of Colonization,' Letter IX.), says that it grew out of the proceedings of the British Government in settling Swan River, or West Australia, and from his perception of the utter inadequacy of the means then employed. The two schemes may be contrasted as representing the most opposite ideas of colonization—the one that of a settlement of self-governed citizens, the other an out-station of government police.

In 1829 Captain Stirling brought out the first settlers, of the most unfit kind, whom he and other officers were instructed to take care of, while they themselves were to be repaid in land.

Without survey, or even money, they lived on barter of such things as they could produce, or were supplied with by Government, till in 1849 abandonment was contemplated; but the idea was changed to a scheme for furnishing the place with labourers, in the shape of English convicts.

The total population even now does not exceed 22,000 in number, having amounted to 6000 in 1850.

The Government has consisted of a very numerous and costly official staff, paid for by England both in point of salaries and the whole cost of

establishments. By Orders in Council, from time to time, the Legislative Council has been variously constituted.

In the Australian Constitution Act of 1850, almost in irony, the settlement was offered a wider form of government whenever it would pay its own expenses; but transportation having now ceased—the last batch of imperial refuse, chiefly Fenian convicts, having been sent out in 1867—and nothing but remaining establishments, two-thirds of the Governor's salary, 13,000*l.* of police expenses, and 1100*l.* for convict chaplains, being now paid for by England, the Legislative Council has had the number of its non-official members equalized to that of officials, and has to that extent been submitted to popular election.

Of course it must take time for this Colony to get out of its servile habits, and notions bred by Government uses.

They have asked us to make Camden Harbour for them, to which undertaking we have refused to contribute more than the convict labour; and they grumble at this supply of white slavery being no more recruited.

We liberally construe all our payments for Western Australia that will bear such construction as made on account of military protection, which we still consent to supply; and we inflict on ourselves the cost of pensioners, and have offered to furnish volunteers with guns. We have pro-

mised to assist in surveying the coast. The boundaries of the Colony have been extended, and exploring expeditions have been instituted at our expense.

We shall now see whether Mr. Weld, whose political services in New Zealand have just been acknowledged by his appointment to rule this Colony—a rare instance of a colonial politician being advanced to a governorship—can wipe out its associations with original mismanagement and convict service, and raise it to a level with the settlement with which Mr. Wakefield first contrasted it, or with a similarly free community in New Zealand, in founding which Mr. Weld and I had both a share, of which we both are proud.

VII.—NEW ZEALAND.

The last of the Australasian group (a nomenclature I resort to as authoritative and intelligible, in spite of criticism) are the New Zealand Islands, first made a distinct colony from New South Wales by letters-patent in 1840, under the authority of the statute 3, 4 Vic., 62, and now including several Provinces under the common government of one General Assembly at Wellington, which site has been preferred to the old garrison-capital, originally fixed at Auckland as separating the more hostile Waikato tribes, from the northern neutral or more friendly natives.

Lord Grey commences his account of this Colony (Letter X.) with the history of the native wars of 1844–5, and the recall of the Governor by Lord Derby, who summoned in his place Sir George Grey, from South Australia, to restore order; a task which appeared to have been successfully achieved in the north when Lord Grey came into office.

A long despatch from the new Governor (dated July, 1849) is quoted by Lord Grey as containing the best description of the policy and events of that period; which was a period of struggling settlement, partly conducted by a Company, and of native wars, and of autocratic government supported by English soldiers and sailors.

The quoted despatch describes the scattered colonists as unable to cope with the concentrated and well-armed natives, but the latter as evincing an inclination to civilization. The policy, therefore, was to be conciliatory, with a view to the amalgamation of the races. The helplessness of these colonists as compared with our early American settlers is accounted for by the superiority of the Maories to the Indians, and the irregularity of their own mode of settlement. One need only cast one's eye over the pages of Grahame's 'History of the United States' to see how little this assertion is borne out by the facts, and that the real cause of the comparative helplessness of our New Zealand compatriots has been the

undertaking of their guardianship by the Departments of Colonies and War in London.

Land being the great topic of dispute, Sir G. Grey proposed the resumption by the Crown of the pre-emptive right, which had been abandoned; the establishment of Magistrates' courts to adjudicate; the enlistment of natives, if possible, in the police and in public works; while hospitals, savings' banks, schools, and missionaries, besides pensions to friendly chiefs, were all to be supplied by a renovated revenue, largely supplemented by the bountiful mother-country.

This country was called upon to double the number of its troops in New Zealand, raising the force from 1100 to 2500; and 500 discharged soldiers from our army were to do the double duty of pensioner-settlers, that is, under the name of New Zealand Fencibles, they were to farm or fight as required. I am told that this institution, on the ingenuity of which Lord Grey lays great stress, has left no trace but the few families they have reared. Of the ingenious double duty, the *settling* has been of the most inferior kind, and the *military service* nothing at all. The whole scheme of native improvement remains in stunted forms of exotic culture, without growth or fruit. As to the British army, so shunted at the antipodes while we were hiring mercenaries to do our military duty at home, we had the mortification to hear the New Zealand Prime Minister, Mr. Fitzgerald, give

evidence before a Departmental Committee on the subject of Colonial Defences, in 1859, that "the "Queen's army hung like an incubus on the "colonists, doing little itself, and preventing any-"one else doing anything." For the large share of the civil expenditure borne by England Sir George satisfied Lord Grey that sufficient cause was shown in the large number of natives who required peculiar civilization and management. "It was "*therefore* absolutely necessary that a considerable "amount of expenditure in excess of local revenue "must be borne by *the British Parliament* in order "to provide for the formation of establishments "which are absolutely requisite for the assertion "of British supremacy, pacification of turbulent "natives," &c. As to both kinds of expenditure, military and civil, "strong confidence is expressed "that, if the grants were freely given, the Colonial "demands on the Imperial treasury would soon "diminish;" contrary to the general rule that *crescit amor nummi, præcipué alieni.*

The demand, says Lord Grey, upon the liberality of Parliament was a heavy one, especially for roads, the construction of which the Duke of Wellington had advised strongly, as the first object was to afford easy means of communication, and facilities for the march of troops and artillery; but he asserts that the result proved not only the wisdom but the economy of this expenditure, as the votes for our colonists' civil service for several

years diminished (Letter X., p. 152)—implying that our normal office in relation to colonies is to fight and pay for them.

It seems to me wonderful that these undertakings on behalf of the colonists were actually considered preparatory steps to their assuming the management of their own affairs. Lord Grey was considering all the while the establishment of representative institutions in the Colony. He allows that the form of government, up to that time existing, had been a failure, but he attributes the failure to a series of mistakes made by the local authorities. The chief objection to giving New Zealand a representative legislature was, in his view, the allowing colonists to legislate for the natives around them; though this objection, he thought, might be removed by assigning districts in which native laws and customs should be maintained.

So eager was Lord Grey to introduce representative government, that he seems to have got an Act over-hastily passed late in 1846 (9, 10 Vic., 103) to save the first session after his advent to office. This Act empowered the Queen to establish municipalities, and to divide the islands into provinces, each to be governed by a Legislative Council nominated by the Governor, and a House of Assembly elected by the municipalities; and to erect a General Assembly of Legislature for the whole Colony. The Queen was also empowered to

appropriate provincial revenue for a civil list, and to set apart districts for native laws. A charter was forthwith sent out; but, the Governor condemning the constitution, as unfairly excluding the natives from general representation, another Act was passed 1849, 11 Vic., 5, to suspend it for five years, and to reconstitute the old Council, with power to construct Provincial Legislatures by itself.

By the time Lord Grey left office, the Governor had reported that Provincial Legislatures were established, and all things were ready; and Sir John Pakington, as Colonial Secretary in Lord Derby's first Administration, 1852, passed the Constitution Act, 15, 16 Vic., 86, which finally enfranchised the local government, in all respects except that of native control, which was still reserved to the Queen.

A General Assembly was constituted, consisting of a Legislative Council of ten nominees for life; and a House of Representatives, of not more than forty-two, elected for five years.

Six Provinces, Auckland, New Plymouth, Wellington, Nelson, Canterbury, and Otago were established, each to be governed by a Superintendent, and Provincial Council of nine members, both elected for four years.

Certain subjects are excluded from the Provincial Legislature; and the General Legislature overrides all, and has power to reform itself, and may

constitute other Provinces, and regulate the sales of waste lands. The Governor has the power of final assent to all Bills, except such as he reserves for the Queen's pleasure; but the Queen can disallow, within two years, those he has assented to.

By the Royal instructions which accompanied this Act, the Executive Council was reappointed, which by a later despatch, in 1854, was expressly recognized as responsible to, and removable by, the General Legislature, which held its first session in that year.

This measure, with all its errors and complications, was a great step in recovery of our old colonial policy; but perhaps its chief contribution to the re-establishment of constitutional views was Mr. Gladstone's speech on its second reading (May 21, 1852), from which I will quote some extracts.

He said, "We have not yet arrived in our legis-
" lation at a just and normal relation between a
" colony and the mother-country—a relation which
" has been developed in former times. We think
" of a colony as something which has its centre of
" life in an Executive Government. We think of
" the establishment of a colony as something which
" is to take effect by legislative enactments, and by
" the funds of the people of England. This admi-
" nistrative establishment is the root and trunk
" around which by degrees a population is to grow,
" and, according to our modern unhappy phrase,
" to be trained for freedom, and to which, in course

" of time, some modicum of free institutions is to " be granted.

" We have proceeded on principles fundamen- " tally wrong; and the Acts for the purpose of " raising, by slow and reluctant degrees, the struc- " ture of freedom in colonies have not been so " much recognitions of a right principle, as modi- " fications, qualifications, and restraints imposed " on a wrong principle. Our ancestors, 200 years " ago, when they proceeded to found colonies, did " not do it by coming down to this House with an " estimate prepared, and asking so many thousands " a-year for a governor, a judge, an assistant- " judge, a colonial secretary, and a large apparatus " of minor officers. They collected together a " body of freemen, destined to found a free state " in another hemisphere upon principles of free- " dom analogous to our own, which should grow " up by a principle of increase intrinsic to itself. " It was not on artificial support from home " that these institutions leaned; and the conse- " quence was that they advanced with a rapidity " which, considering the undeveloped state of com- " munication and of commerce at that time, was " little less than miraculous. You never heard of " pecuniary charges brought against this country " for their maintenance; on the contrary, you " found them ready to assist you in your foreign " wars, and, instead of being called on to send " regiments to maintain the domestic police of

"those colonies, or against savage tribes on their "borders, they held it as a grievance if you "attempted to impose on them your little standing "armies. Departing from that scheme of policy "in later days, you have implanted a principle, if "not of absolute, yet of comparative feebleness in "your distant settlements. You have brought on "yourselves enormous expense, and, by depriving "them of the fulness of political freedom, you have "deprived them of the greatest attraction which "they could possibly hold out to the best part of "your population to emigrate.

"The system which Burke studied when he "warned Parliament against the destructive conse- "quences of attempting to establish administrative "power over distant dependencies—that sound "colonial policy—reached its climax in what I may "call Tory times. In 1662, the Charter of Rhode "Island was granted, the most remarkable of all "for its enlarged and liberal spirit. At this day "it is considered monstrous that colonies should "have free local jurisdiction even for local pur- "poses."

So much for general principles. As to the detail of the New Zealand Constitution Act, I cannot do better than continue quoting Mr. Gladstone's criticism, agreeing as I do with his general approval of the measure, which indeed was based on a draft I drew up under the guidance of Gibbon Wakefield.

Condemning the Queen's reserve of native protection, Mr. Gladstone said, "Instead of telling the "colony to look for no help from us unless they "maintained the principles of justice, we foolishly "told them not to meddle with the relations be- "tween themselves and the natives—that that was "a matter for Parliament." The sequel has shown how England's vicarious humanity and officious care ends only in increasing warfare and confusion, for which the colonists absolve themselves from all responsibility; blaming us for all that goes wrong, and expecting us to pay for the blunders introduced into the management of their affairs.

A feature in the Constitution chiefly debated was the number, dignity, and conflicting functions of the Provincial Legislatures. Sir W. Molesworth contended for the Central Legislature being charged with the government of the whole Colony, leaving municipal government alone at the several seats of provincial settlement. Mr. Gladstone, on the contrary, thought it "a mistake to say that a large "amount of population was required to constitute "a self-governing political society." There certainly was a surplusage, if not a conflict, of government in the triple series of councils, municipal, provincial, and general. But the time probably had not then arrived for amalgamating general legislature into one body, especially at the awkwardly situated metropolis of Auckland, which, under an erroneous policy, had been originally selected as a

sort of Imperial Head-quarters for the control of the natives. The tendency of colonial opinion is now strongly setting in for centralization. The New Zealand Hexarchy soon began to look out for an Egbert, not to conquer, but cement an union of government, and for an Alfred to turn the Local Superintendents into Chief Magistrates of Divisions. There is, however, a strong party still ready to argue that the Southern, or Middle, Island has none but a sentimental interest in Northern wars; much as Scotland might tell England it was a gift, if she contributed anything to defend her shores from the invasion they were chiefly exposed to.

The clause in the Bill which only restrains the Provinces from certain subjects of legislation, resembles the United States' Constitution more than our late North American Union Act, which, specifying provincial subjects, leaves all else to the Central Legislature, only specially indicating a few samples of its most exclusive concerns. Experience seems to have taught us the necessity of giving the greatest possible strength to the centre of unity, and to avoid debatable ground of double legislature; but from both schemes *Downing Street* disappears, and true principles of self-government must have greatly recovered themselves since, a few years earlier, the erection of a lighthouse in Cook's Straits was delayed during two years of continued shipwrecks, while the *Minister of the*

Interior, in London, was making up his mind. The New Zealand Downing Street was at least removed from London to Auckland, and every Province was allowed to do far more for itself than Auckland could before.

Mr. Gladstone's remark that the Bill "first "enabled a Colonial Legislature to pass Bills with- "out being subject to a veto at home," was so far justified, that the freedom of *Provincial* legislation was subjected only to the Governor, and never to be referred home; but no difference was made in the freedom generally of Colonial Acts. The sections 55 to 59, on this point, are similar to those in the New South Wales Government Act, 5, 6 Vic., 76, and in the Canada Act, 3, 4 Vic., 31.

The regulation respecting suspending Acts for the Queen's confirmation, and reserving Acts for the Queen's assent, no longer specifies a category of subjects which may be so dealt with, but refers each Governor to his own instructions. Mr. Gladstone objected to the length of time during which the Queen retained power to disallow a Bill to which the Governor has assented, and this objection has been partially removed.

The concession of control over Crown-lands to the Colonists Mr. Gladstone approvingly contrasted with the deliberate refusal by Parliament of the same concession to New South Wales only two years before.

Mr. Gladstone highly commended the gift to the

Colony of large powers of altering its own Constitution, subject only to reference home for confirmation of amendments—powers which have since (1855) been given generally to all colonies having representative legislatures.

The nomination for life of Members of the Upper House of Legislature was objected to by Mr. Gladstone, who preferred for a colony the United States' mode of electing a Senate by the State Legislatures, which plan Lord Grey had intended for New Zealand in his Bill of 1846. It is, however, to be observed that the example of Canada, which was chiefly adduced in support of this view, has since turned against it. Canada, having first got the construction of its Upper House changed from that of nomination to election, has on further experience decided, and voted on the decision, that more weight attaches to appointments for life in the constitution of a body which is intended to revise popular legislation, even in a new country.

Lord Aberdeen's Ministry, in 1854, had to send out the first instructions under the new Constitution; and the responsibility of the Colonial Ministry to the Legislature, elected as the Assembly was by almost universal suffrage, was fully enunciated in them.

The Governor, Sir George Grey, however, was too much of Lord Grey's opinion on colonial policy to carry out this gift of constitutional government

con amore; and, I must add, too conscious of powers and of a will to be useful, to be eager to abdicate authority. He had himself at first drafted a different Constitution, with a Legislative Council one-third nominated, and without empowering the colonists either to regulate their land-sales or civil list, or to vary their Constitution. He soon got into controversy with his Supreme Court about the treatment of waste lands; and though his plans for civilizing the natives were high-minded, yet the attempt to mediate between them and the colonists on the part of the Crown, especially on matters of title and rights connected with the land, only led to the inevitable confusion of double government.

The reserve to the Crown, by the 73rd section of the Constitution Act, of the protectorship of native laws and lands, fortunately proved inoperative for want of funds or machinery to carry it into effect.

The Constitution, however, had scarcely been proclaimed, when Sir George Grey was promoted to the Cape. His successor, Colonel Gore Browne, whose government from 1854 to 1861 was also animated by the most generous feelings towards the natives, failed to keep the peace. He announced his intention to keep inviolate the native land-rights, of which he was the sole administrator, under instructions from England.

In 1859, a disputed sale of land—the Waitara

block, over which, though the owner, Teira or Taylor, had accepted what he considered its value, yet William King, the Chief of the tribe, claimed seignory, and imposed his veto of sale—led to a conflict with natives. The case was one of *læsa majestas* in the eyes of the Chief, and brought to test the claims of the "Land League" formed by the natives in 1848 to prevent any further sales of land, and the pretensions of the "King movement," whereby, ignoring the paternal government, benefits, and pensions of the Queen, the natives asserted their own government still, as if in the absence of any other.

The volunteers aided by some blue-jackets from one of the Queen's ships stationed near, came off victors in this conflict.

Colonel Gore Browne may have erred in concluding the transaction of sale with Teira individually—though he acted on the advice of the Land Commissioner, Maclean, who also did his best to set any error right—and the affair ended in a change of Ministry from that of Stafford to that of Fox, the leader of the party which asserted *peace* to be their programme (August, 1861); and the Governor, who had attached war to an ultimatum of submission under oath of allegiance, was superseded by the return of Sir George Grey, October, 1861. General Cameron, having been sent to take command of the forces on General Pratt's departure, desired to attack the

head-quarters of the native king, but the new Governor restrained him.

In 1860, the Duke of Newcastle, as Colonial Secretary, introduced a Bill to constitute a Native Council; and at the same time a similar measure was sent home for approval from the Colonial Legislature.

In introducing his Bill, the Duke still maintained the impossibility of leaving the natives to the tender mercies of the local government, or of assimilating the laws for both races; on the ground that the colonists and natives were antagonists requiring the intervention of an impartial arbitrator, the care and cost of which mediation England should undertake (Debate, July 3rd, 1860). Governor Grey threw himself gallantly into this work of mediation, parading his "responsible Advisers" before him, while they carefully kept clear the distinction between themselves and the Governor, who, "as Imperial Native Adminis-
"trator, was spending more than a million a year
"for the English Government, and must therefore
"consider himself their agent."

Sir George Grey set on foot a Native Commission, and established native villages and councils. His distinctive idea seems to have been rather to introduce English institutions amongst the natives as an alterative, than to make use of theirs. He induced the Home Government to contribute, besides their military expenditure in New Zealand, a special

grant for native improvement; on the ground that it would be better for English tax-payers to give this peaceful benevolence than spend tens of thousands yearly in war. The third course, of doing neither, was kept still out of sight. The recent disturbances had been made the ground for increasing the Queen's troops in New Zealand to 7000; besides the naval aid, and contributions to the expenses of local volunteers, and military pensioners.

The discovery of gold about this time, though it disturbed regular industry, yet, generally increasing both population and capital in the Colony, seemed to John Bull a reason against his bearing so much of its burdens. The provincial view, however, was that, as it drew men away from the scene and service of the war, and caused the militia training to be neglected, the Colonists were so much the more under the necessity of English guardianship. The Duke of Newcastle wrote at this time perhaps a too galling reproach, for certainly the whole adult male population of Taranaki had been compelled to turn out in its own defence for the last two years; but a slight step was now gained in the right direction, for the Colony undertook to pay, for five years, the acknowledgment of 5*l.* per head on the Queen's troops employed in their service; on the condition, however, that we were to remit the capitation fund so raised, up to the amount of 50,000*l.* a-year, to them, to be expended on native improvement.

The larger views arrived at by the Select Committee of the House of Commons, on colonial military expenditure, were not yet generally entertained; and the Duke of Newcastle announced the Imperial policy still to be "that colonists in "general should only pay for the maintenance of "their police, and should be spared the task of "defending themselves against foreigners and "formidable tribes on their borders; but that no "fixed rules could be laid down on the subject, "as *some colonies were poorer than others*" (Debate, 1861), so that a colony was now plainly invited to claim support from our guardianship *in formâ pauperis*.

Sir George Grey's "Native Districts Regulation Act" gave him power, and a tribunal, to settle disputes about land-titles; but it was difficult to get the recalcitrant natives either to sell, or to utilize their lands, or in case of dispute to come to the Governor's Courts, or, if they did, to accustom the colonial magistrates to recognize judicially their claims. By way of enlisting the natives in public works contributing to his plans, Sir George undertook the completion of a road from Auckland to Waikato.

In 1862 the Fox Ministry were defeated in attempting to maintain this system of separate native guardianship, and Messrs. Domett and Bell took office, Mr. Weld holding aloof for the time, apparently fearing to embarrass what he considered

the Governor's dictatorship without being able to supersede it by the completion of self-government. But while Sir George Grey was still insisting on the necessity of his control of native affairs, the Duke of Newcastle, in a despatch of May, 1862, at length acknowledged that the attempt to administer them by separate Imperial Government had proved a failure—"a shadow of responsibility "without any beneficial exercise of power." But then, he added, "if this responsibility is abandoned, "the English troops must be withdrawn, and the "Colony, following its own policy with the na- "tives, must be considered as able, as they would "be responsible, to maintain it by their own "now greatly superior numbers."

In 1862 an Imperial Act (26, 27 Vic., 48) empowered the New Zealand Legislature to repeal the 73rd section of the Constitution Act; by which repeal the General Assembly were enabled to assume full power over the natives, and incurred full responsibility for the exercise of that power. Lord Grey, in the debate on the second reading of the Bill ('Hansard,' June 24, 1862), enforcing the argument that as long as the Imperial Legislature retained responsibility they must retainp ower in their hands, added that he thought we ought to retain both, and not to shake off the responsibility from ourselves of protecting the natives from otherwise inevitable extermination by the colonists.

The fact is, the best guarantee for justice and

peace is the full responsibility for the consequences of disturbance resting on those immediately concerned. To relieve the colonists of this responsibility, and let them revel in disturbance—aggravated by our aid, and to be settled at our cost—is a policy which unites all the mischief possible to all the three parties interested. The interference of England must always have a disturbing effect in so distant a country as New Zealand, as is well proved by the fact that in this very debate no two speakers advised the same policy; but in transferring the control of policy, it was clearly necessary to transfer at the same time the penalty of impolicy; otherwise we should be only giving a premium on disturbance.

In 1863 fresh disturbances broke out at Taranaki. Sir George Grey had gone there, and both retaken a block of land at Tataraimaka, the purchasers of which had been ousted during the late war, and at the same time surrendered, as an invalid purchase, the Waitara block, which had been the cause of war. These proceedings pleased the Missionaries, but alienated native Allies; and were considered by the Colonists, in mode at least, of doubtful tactics.

War ensued, and General Cameron invaded the Maori district of Waikato with a force of English regulars and colonial militia. Volunteers were also tempted from Australia by offers of confiscated land.

The war expenditure of the Colonists at this time was estimated at 120,000*l.* a-month, and that of England, in their aid, at more than twice as much. They afterwards voted grants in relief of those of themselves who had suffered losses by the outbreak, and asked England to contribute to that fund also.

The Duke of Newcastle, however, now laid down definitively, in a despatch to Sir George Grey, dated February 26, 1863, what were to be considered the respective obligations of the mother-country and the colony in such matters. He said that generally "the cost of all war should be borne "by those for whose benefit it is carried on. This "duty of the governed does not depend on the "nature of their government. New Zealand had "not been governed in the interest of inhabitants "of the United Kingdom."

The Colonial Legislature meanwhile took their own line, and passed both a "Confiscation" and a "Suppression of Rebellion" Act, and talked of raising a loan of three millions, to cover debt already incurred—itself to be recovered by the sale of confiscated lands. Of this loan the Imperial Parliament offered (27, 28 Vic., 82, 1864) to guarantee one million, on condition that the Colony's debt to England of half-a-million should be repaid out of it, and that in future the Australian rate of payment should be made for every regiment sent to them from England, save one

which might remain so long as 50,000*l.* a-year was voted for native civilization; but this offer the colonists declined.

A despatch from Mr. Cardwell, requiring a modification of the confiscation plan, raised questions of relations between the Governor, and his Advisers, and the Commander of the Forces, and doubts as to the colonial use of the English troops, which were now expressly ordered to be kept to Imperial service solely, while their presence was made the ground for controlling colonial policy; and under Mr. Weld's new Ministry (October, 1864), the General Assembly passed a resolution that, rather than have their policy controlled any longer by the Imperial Government, they would prepare for the earliest departure of the very last regiment.

Mr. Weld insisted on the necessity of confiscation of rebel lands, so far as was necessary to fulfil engagements made; and in hopes, though faint, of finding legitimate means thereby of paying off the debt of three millions.

Single government and self-defence were the programme of his Ministry (see 'Notes on New Zealand Affairs,' by Weld, p. 25). His opposition to a proposed division of the Colony, and his desire for the removal of the seat of government from Auckland to Wellington, were both part of the same self-contained policy.

General Cameron seems to have induced the

Governor to renew war about the rebels' stronghold at Tauranga, and yet his movements about Taranaki amounted to a refusal practically to accept the task on the Governor's consent; and having actually declined to attack a certain Weraroa Pah—of which the Governor then proceeded successfully, with a body of Provincials, to take possession—he was allowed to resign; and General Chute took command of the troops.

There was now a perfect conflict of opinion among the local authorities, not only about the necessity of a greater use of colonial forces, and the disposal of the Queen's troops, but as to the best mode of gaining the submission of the natives, and the treatment of prisoners.

Mr. Cardwell's despatch, in 1864, had condemned the confiscation of native lands, and insisted on a modified scheme of "voluntary cession," on the adoption of which the Whitaker Ministry had split with the Governor; and Weld, who succeeded them, now had to resign. The actual measure on which he was defeated was a Stamp Duty, meant to raise revenue for defence of the Colony; and the necessity of self-defence was the ground he chose to fall on.

Mr. Stafford succeeded, October, 1865; and he said that, without pressing for the full control of policy, including, what was a part of that assumption, the removal of the English troops, he hoped to adopt practically the principle of self-reliance

by means of economy and abstinence, so as to incur no engagements which he could not meet.

General Chute, by brilliant successes at first, restored the respect, if not the goodwill, of the natives. But the reluctance of the Governor to part with the control of British troops led to misunderstandings again. Meanwhile orders from home came in more peremptory form, that as the Colony declined retaining the troops on the Australian rate of contribution towards their pay, the troops must come home; and in July, 1866, the Royal Engineers were embarked for England.

A newly-elected Parliament defeated Mr. Stafford, but supported a coalition Ministry, one part of which hankered after the retained support of England.

Mr. Cardwell's last despatch, almost the last he wrote before he left the Office, June, 1866, enclosed a letter to the War Office requesting direct instructions to be sent to General Chute to embark every regiment but one—including artillery, transport corps, and commissariat corps—as soon as he could obtain transports for them. The one regiment left was to be retained only on, what seems to me, the ridiculous condition that we should be satisfied that the Colony continued to vote at least 50,000*l.* a-year for native improvement. The presence of our regiment was no inducement to the vote, but probably an obstruction to the voting a great deal more for that purpose. Lord Carnarvon

further enforced these instructions by making them absolutely binding on the General, even without any orders from the Governor; and he abstained from disallowing the Confiscation Act of 1863 (which had already been so far modified as only to empower the Native Land Court to examine who were guilty of rebellion, and sell some of their lands for the cost of the war, reserving the rest for native public purposes) expressly on the ground that the withdrawal of the troops had left all local policy in the hands of the local Government. The General Assembly, however, passed another Act, with such unduly wide indemnity for all engaged in suppressing insurrection, that Lord Carnarvon thought it necessary to disallow it; but it was afterwards passed with restrictions.

Now came the settlement of mutual claims between the mother-country and the colony. The winding up of accounts was rendered intricate by the gradual and indistinct process through which Imperial protective policy had been abandoned.

Commissary-General Jones, the Officer in charge of the Treasury chest, sent, from New Zealand, his estimate of the claims of the Imperial Government on the Colony. They consisted of charges for use of ships, roadwork, &c., and amounted to 1,304,763*l.*, exclusive of 272,321*l.* arrears of capitation-rate for troops and pay of Fencibles.

Major Richardson, on the part of the Colony, set up a counter-claim for every sort of expense

which the Colony had incurred for Imperial troops —from wharfage, transport charges, barrack rent, rewards for capturing deserters, down to postage —amounting to 906,850*l.*; besides stating that a debt of 3,000,000*l.*, at which amount they estimated their own war expenditure, was chiefly owing to Imperial mismanagement, and that John Bull ought not only to pay for blunders of the Queen's Government at home, but for those made in colonies also while under its control. He, however, admitted the justice of the Imperial claims up to the amount of 759,621*l.*, leaving a balance against England of 147,229*l.*

Early in 1868 the New Zealand Finance Minister, Mr. Fitzherbert, arrived for the purpose of conferring with the Imperial Government on the settlement of these mutual claims. He was instructed also to carry out the provisions of two Acts just passed by the Colony — the Public Revenue Act, and Loans Consolidation Act—by which they hoped to simplify and ease their debt; and to establish a Mint, and to negotiate on the subject of future colonial defence.

Nothing could more thoroughly illustrate the rottenness of the relations hitherto subsisting between England and New Zealand than the difficulty, or rather impossibility, of bringing the accounts between them to any rational or definite test. So irregular, shifting, and indistinct was the miscalled understanding between the two

parties, so unreal the conditions of every arrangement, that the more the scrutiny the more hopeless was the confusion.

The Colony considered the whole war expenditure due to mistaken Imperial policy, and therefore that they had nothing to do with it, except to endure the incidental losses in which they had been themselves involved by it. Not an item of expense for any soldier brought from England for their service—fighting, wounded, or prisoner in their cause—did they think should be paid for by them; still less would they dream of any share in naval expenditure, which in its very nature was supposed to belong to Imperial Government.

English Ministers, on the other hand, however they might recognize the want of success of their policy, felt that they had done their best, and honestly, in a government for which they had been made responsible, and that they could not reasonably ask the House of Commons to vote more aid to New Zealand from English taxes than they had already too largely given.

Fortunately the Duke of Buckingham at once took a high and liberal view of the question, becoming his position. He at once entered with Mr. Fitzherbert into a minute investigation of the whole account on both sides. The Treasury took their proper part, as an acute and business-like Ministry of Finance, regardless of all collateral or sentimental considerations. Mr. Fitzherbert exe-

cuted his instructions in the fairest and ablest manner, and in the spirit of a high-minded gentleman. After months of discussion and elaborate scrutiny, and after turning every item of account over a hundred times, with a patience and a pertinacity of investigation peculiar to the Duke, and after exhausting all the negotiation which was necessary to gain any footing at all for final treatment, and which thoroughly proved the insolubility of the proposed problem from the want of any known quantities to make a basis for calculation; it became clear that a clean sweep of the whole account was the only practicable conclusion.

There was the additional reason for letting bygones be bygones, that a new era was setting in for the future. The Colonists were taking their part in the empire on equal terms, of freedom and self-sustenance, with their fellow-subjects at home. A new Governor, Sir George Bowen, had gone out —Sir George Grey's time having expired—and it was desirable that he should open the new order of things with a good will.

Would that the Colonial Ministry had appreciated and entered into the generous feelings which animated both the Secretary of State and their own Negotiator, and accepted the quittance of claims in the spirit in which it was given. On the contrary, they took the "settlement as a con- "siderable sacrifice" on their part, and grumbled "that there had not been more scrutiny." I am

indebted to them for this last warning of the thanklessness as well as unhealthiness of national patronage.

The new Governor opened his career by a tour among the natives, including the Hauhau fanatics, who received him well. He made himself master of the "native" question by personal investigation, in company with Mr Richmond, the Minister for Native Affairs; and even mastered the Maori language. He described the hostile tribes as rapidly deteriorating, their chief having resumed his heathen name Tawhiao, and having drawn a pale round his followers, threatening death to any intruders. His idea was, that if the colonists would bide their time and keep carefully on the defensive, the natives might "outlive rebellion," and see better times—a happy expression to my mind, and indicative of the wiser policy of local responsibility. He thinks the Maories likely gradually to mingle with the Colonists in their habits of life, if not put permanently under a separate jurisdiction. The Native Land Court is already drawing, and accustoming them, to English notions of property. One Chief, Taipari, has let his land on lease to English tenants; and made liberal gifts for churches, hospitals, and cemeteries.

The discovery of gold at Auckland, Hokitiki, and Otago—50,000 ounces having come thence to England last year, and ore to the value of 160,000*l.* in all—must lead there, as it has every-

where, to great if not violent changes from the old condition of things.

An unhappy affair has lit up, however, once more the lingering embers of mischief from our past policy. We now see the paralyzing effects of national dependence, the helplessness at first even of brave colonists who have been looking to the red-coats of England to do their fighting for them, and the strange graft of skill upon barbarous fanaticism which natives acquire who have been played with by dilettante philanthropists in distant unconcerned authority.

Some Maori prisoners escaped from confinement in Chatham Island cleverly, and with such order as not to injure one of their guards though possessing themselves of their weapons. The Colonists attempted carelessly to recapture them, and got worsted. Of such an opportunity the Hauhau fanatics took immediate advantage to rekindle war. A panic and retreat ensued, which has only just been partially, though most gallantly, retrieved with the help of friendly natives. What was worse, a horrible massacre took place at Poverty Bay—the Tauranga quarter—which, however, has been avenged by condign punishment of the savage murderers. So soon will self-defence learn to follow on self-government, and exceed in efficiency the more elaborate equipment of extraneous aid!

Mr. Fox states in his account of 'The War in New Zealand' (Smith and Elder, 1866), that the

total number of natives by the census of 1858 was 31,667 males, and 24,303 females; but that we never had 2000 men in arms against us. In the campaign of 1865, at Wanganni and Taranaki, there were not more than 700 fighting natives against 4500 of the Queen's troops, 800 military settlers, 60 irregular cavalry, 100 bushrangers, and 1000 friendly natives. The European population, in the Northern Island alone, numbers about 80,000, and in all the islands 250,000. The natives of the Middle Island were nearly destroyed by wars with the northern natives before the Europeans came; and generally the natives nearest the European Settlements are the most friendly to them. (Weld's 'New Zealand Affairs,' p. 53.)

I firmly believe that now that these Colonists have complete control over their own affairs, they will be far more careful of the natives, and better and more cheaply able to defend themselves—there will be less war, and more civilization.

Naval self-defence is still wanting, and local shipbuilding for that purpose. Mr. Fitzherbert asks for assistance towards the protection of harbours, and indicates larger views in the distance, involving Australasian federation for the defence of the sea. This idea falls in with the Duke of Buckingham's suggestion, to which I have already alluded, of extending and supplementing Mr. Cardwell's Colonial Naval Defence Act, by local squadrons

supported by the colonies under Imperial command. If our naval estimates are taken at 10,000,000*l.*, it may be roughly stated that ships and munitions, or what may be called the machinery of war, consume 2,000,000*l.* out of that amount, the annual current consumption taking the remaining 8,000,000*l.* If the mother-country were even to continue undertaking the whole machinery, and the colonies took their share in the annual cost of the general protection or insurance of British commerce all over the world, it would be a step in the way of giving the colonies a sense of sharing in national responsibility, it would remove some of the impossible functions which England now assumes to herself of universal protection, and, supposing the whole force not greatly enlarged, it would save the Imperial Exchequer some quarter of a million annually, which, spent in the way of exempting others from their proper liabilities, is now worse than thrown away. This, however, is a large question, which I propose to deal with more carefully by itself in a later chapter. But I see no reason why shipbuilding yards should not be at once established in these distant stations to which some kinds of war-vessels could not be sent.

The old arguments—that England involves the colonies in wars, and never is involved herself in war by their independent action; and that the Crown is not the arbiter of war for both alike, with no check but that, which is practically open

to the use of both, of withholding the supplies—could only have any force while England suppressed colonial self-government, and while colonial supplies for war could not be withheld, because none were rendered.

The interest to be secured by naval power is, of course, equal between the partners in the commerce secured—and the rotten plea for colonial exemption that the ships are chiefly English, is only an admission that the sole insurer has had undue costs hitherto thrown upon him. England sends 5,000,000*l.* worth of goods yearly to New Zealand in return for wool and gold. The whole Australasian trade is valued at 60,000,000*l.*, of which half is with Great Britain. If the carriers are the English, that is no reason for their being the sole insurers.

Mr. Weld makes some interesting practical reflections, in the pamphlet from which I have made quotations, on his own constitutional experience in New Zealand. He has there observed the growth of influence of the Upper House of Legislature (p. 62), and thinks that nomination of distinguished men as officials for life, is the best constitution generally for the Upper House in colonies. The constituency of the New Zealand Lower House of 5*l.* householders, is as low as it can be; but he thinks not lower than it must be there. The fault of the constitution is, that too much government is distributed to the Provinces,

now so easily communicating with each other; and that the revenue which they spend is collected by the General Government, whence comes systematic local jobbing in the appropriation of supplies, and corresponding central weakness in maintaining general interests. This defective system, however, their "Public Revenue Act" is meant as a step towards remedying.

Hoping as I do that the General Legislature will gradually absorb the government of these Islands, restricting provincial legislatures to simply municipal functions, I say nothing in the way of separate provincial review, as it would be matter of ceasing interest; much as I should delight to dwell on the history of Canterbury in the founding of which Province on the true colonizing principle of a "homing-off" of complete English society, supplied with all the requirements of civilized life, and capable of all the functions of citizenship, I had a share in company with my best friends, chiefly Lord Lyttelton, and the actual *œkist* John Robert Godley, than whom no one did more, in the words of his epitaph, "œquales ad majorum præcepta "revocare, quibus coloniæ non tam regendæ sunt "quam creandæ."

SOUTH AFRICA.

THERE remain to be considered, of Colonial Representative Governments, the two in South Africa —the Cape, and Natal. The latter has only a single Chamber of Legislature partly elected, and has therefore no better claim to be considered in my first class than many of the West India Islands, which I have placed amongst Crown Colonies. But there is this difference between them, that Natal is evidently on its road to full Representative Government, either alone or as part of a general South African administration, whereas the West India Islands, from their peculiar condition, seem tending rather the other and retrograde way.

Neither of these South African Governments are considered "responsible" to their respective legislatures, which means that the Governor may refuse to yield to the adverse will of the legislature, though representative of the people. But to how small an extent the remaining servility of the colonists from past patronage may enable the executive to have the best of such a struggle, the Cape itself has given warning. To use again Gibbon Wakefield's simile, the question is how

long a fire in a room without a chimney may be tolerable, and that partly depends on the strength of the fire.

I.—THE CAPE.

In the first place let me observe how striking an instance the history of the Cape has afforded of the uselessness of colonial garrisons sent to such places from the mother-country. On two occasions, before and after the peace of Amiens, the British fleet had only to make its appearance off Cape Town, and down went the flag of the old, costly, and proud Dutch garrison. The possession of all such stations rests, in war, with the power which has command of the sea. Defence against mere piratical attacks the inhabitants can make for themselves.

Since the Cape was finally ceded in 1815, it has been chiefly known to us by a succession of Kafir wars. No foreign attack has been made, and our soldiers have been engaged only with savages. The Dutch, who originally dispossessed the Hottentots and made slaves of them, had come in contact with the Kafir tribes during the latter half of the eighteenth century; and, by a successful "*commando*" in 1780, had made the Great Fish River their frontier. The Boers settling along the eastern boundary, kept up a perpetual guerilla warfare with the Kafirs; and the English Government received scanty submission from them.

In 1817 our recognition of an Amakosa Chief, Gaika, as head of Kafirland, gave offence to the Chief paramount, and to the other tribes; whence a second Kafir war ensued, which extended our bounds to the river Keiskamma; and we sent out 5000 emigrants to occupy what we called "the "neutral territory" between the Great Fish River and Keiskamma.

In 1828 Gaika's Son, Macomo, was pushed still farther off; and the "Kat River Settlement" of Hottentots was established as a buffer against the Kafir tribes. This led to a general rising, which tried Sir Benjamin D'Urban's strength by a third and more serious Kafir war in 1834. Sir Harry Smith with 3000 British troops scattered English blood and money over the disputed frontier during a whole year; but the treaty which he at last obtained, for further cession of territory up to the Kei, was repudiated by the Secretary of State Lord Glenelg. The Governor was recalled in a fit of conscientious horror of the war, and economical scruples against incurring greater expenditure. The Dutch Boers, already irritated by the application to them of our great Act of Slave Emancipation in 1834, became exasperated by this, to their mind, additional infatuation; and they emigrated *en masse* at an enormous sacrifice, to get out of our reach, beyond the Orange River, and there established a Republican Government.

Lord Grey begins his letter on the Cape (12th)

with reference to the next, or fourth, Kafir war which was raging at the period of his accession to office. He relieved the somewhat aged Governor, Sir Peregrine Maitland, and sent out a distinguished East Indian officer, Sir Henry Pottinger, with a special Imperial authority, as "High Commissioner" over the Kafrarian border, with more troops. Sir Henry made prisoners of the chiefs Sandilli and Pato, and ended the war; himself returning, as he had stipulated, to India, and being made Governor of Madras; and the same year, 1847, Sir Harry Smith returning to the Cape as Governor, with the Special High Commissionership added to his functions, re-established British rule over all the country between the rivers Kei and Keiskamma, called British Kafraria, and treated it as a sort of Imperial advanced guard, sheltering the Cape Colony from Kafir incursion. Its actual annexation to the Colony was avoided, and all further treaty-making was ordered to cease as futile.

The tribes within this territory were to be "dispossessed of their independence," and yet the "chiefs' authority was to be supported as far as "possible." Kafirs were to be enlisted into the Commissioner's service, who would also serve as hostages; and under cover of this equivocal Imperial protection, it was hoped that English missionaries might spread the soft influences of religion and the arts of civilized life; and that, under a sense of security, trade would quickly spring up. A sort

of vigil [illegible] self-government was even here to be observed, though little realized in any part of the entire Colony. The Kafirs were to be sufficiently taxed "to stimulate their industry," and to serve as a call upon them to sustain their own administration, which was to be too simple to cost them much.

In 1849 Lord Grey infuriated the Cape Colonists by attempting to send some Irish political convicts to them, Australia having closed its ports against such importations. He offered to send the convicts' wives and children, and a *Mezentian* partnership of free emigrants, with them, so as to expiate the offence by innocent sacrifice; but the poison arrived before the antidote, and English spirit and Dutch resolution united in its successful rejection; *cujus pars fui*, and I retain with pride some grateful records of it.

The Kafirs had been so far beaten in the fourth war that a temporary lull gave a first appearance of success; but in less than three years, 1850, another Kafir war "dashed these hopes to the ground."

Sir Harry Smith formally proclaimed the deposition of the chief Sandilli, and appointed an English magistrate to be chief in his stead; and having subdued the Kafrarian outbreak, he took upon himself to proclaim the Queen's sovereignty over the Dutch settlers beyond the Orange. He received the contradictory instructions that our policy was to be "non-extension;" but that "so much autho-

" rity might be exercised on the part of the Queen " beyond the Orange as would enable the natives " and farmers to manage their own affairs." The rude Boers rejected the proffered assistance to manage their concerns, and it required "a rapid " march and sharp skirmish," not to gain their submission, but to drive them still farther away from us, beyond the Vaal. Their President, Pretorius, after a defeat at Boem-Plats, established the Trans-Vaal Republic, still nearer the Equator. In 1852 they were formally released from any allegiance to the Queen; and in 1853 it was resolved to abandon the Orange River territory also to the Dutch, a resolution which I stood up alone to resist in the House of Commons, and which is now regretted by both the parties concerned.

The successful resistance to the attempted convict importation stimulated the desire of the Cape colonists for representative government; and Lord Grey, making every apology for having acquiesced in what he thought so dangerous an experiment, resorted again to the advice of the Board of Trade with the same assessors whom he had united with them for the preparation of Australian constitutions.

Sir George Napier, as Governor, in 1841, had supported the first petition from the Cape for representative government, saying that "to the " want of the people's participation in the manage- " ment of their own affairs, their ignorance and

"discontent were chiefly to be ascribed." The difficulties which were asserted to stand in the way were the sparseness of the population, which was almost all collected in Cape Town, the distance of the Eastern settlement, and the diversity of races. The wish of the Colony was, however, soon so strongly expressed, that Sir Harry Smith found himself obliged, without waiting for instructions, to commit the Imperial Government to consent; and the only question remaining was how to carry that wish out. It was effected by Letters Patent in 1850. The Report of Lord Grey's Committee of Trade, including a draft constitution, was sent out, and the municipalities were employed as electoral bodies to elect a Constituent Council, by which two Ordinances were passed, which were confirmed by Order in Council in 1853. It is remarkable that constituent functions should not have been considered beyond the scope of the local wisdom which had been thought incapable of ordinary legislation.

To recapitulate the history in more detail—the government of the Colony, which had been originally under Dutch landroosts, had been first committed by the English to a military governor. In 1835 an Executive Council was formed, and a Legislative Council of six official and six unofficial members; and the Colony was divided into a western and eastern province.

By the Letters Patent of 1850, under the powers of which the Governor set up a Council with con-

stituent powers, two elective Chambers of Legislature were established—a Legislative Council and a House of Assembly—the one consisting of fifteen members and the Chief Justice, the other of forty-six members under a President. The electors were required to possess a property qualification. The members of the Executive were not empowered to vote in either House.

Lord Grey seems to have thought that the triumph of the Colony over his convict scheme, and this throwing of the reins of government on their stiff necks were the chief causes of a renewal of Kafir war in 1854; because, says he, "the Kafirs "supposed the Government could no longer com-"mand the hearty support and services of the "Colony." This seems a remarkable admission—that the colonial policy was such that a colony could be supposed so alienated from its government as to be ready to use its first emancipated powers against it, or at least to refuse to use them for it, even at its own imminent hazard. Certainly the war was very costly to us in blood and in money, if not in honour; and the desertions to the enemy from the Cape Mounted Rifles, and the revolt of the Hottentots, and the increasing unfriendliness of the tribes and Orange farmers betrayed a rotten state of things; while the protracted difficulties of the campaign showed how much more our policy had trained enemies than attached allies.

The Orange River Sovereignty had become a

more and more perplexing undertaking since the first establishment of a "British Resident." Two Assistant-Commissioners had been appointed to act under Sir Harry Smith in his office of High Commissioner.

The contrast of such a process with the old mode of extension of our first American settlements is a fair gauge of the comparative policies pursued in the two periods.

Lord Grey speculates (p. 248) on the possibility of our having from the very first adopted a policy of restricting South African settlement to the port of Cape Town; and he attributes to the fact of our mission of settlers in 1819, the sense of liability felt by the British Government to continue the work which they had so undertaken. The district of Albany we then peopled by our unemployed workmen. At an expense indeed to us of more than 120,000*l.*, they were there planted out in the neighbourhood of predatory tribes, to whom their hard-earned property became a constant and irresistible attraction; and Lord Grey thinks that an obligation thereby rested on this country permanently to protect them. Such was the chivalrous theory of Lord Grey, even while stating that the 5000 settlers we sent out at such expense had increased to 34,000, and that their property already amounted to four millions and a half sterling. "No doubt," says Lord Grey (vol. ii., p. 251), "they ought to be called upon to exert themselves

" for their own defence, and ought not to be allowed " to extend indefinitely the area over which they " spread with the expectation of being guarded by " us; but within the territory which was occupied " by the Crown they cannot, without disgrace to " this country, be refused military protection."

For my part, I should never suppose it possible to prevent an English colony from spreading over any desirable country fairly open to their occupation, or that our having helped them first to settle incurred any obligation to paralyze by our protection their powers of self-defence; nor do I agree with Lord Grey that Providence has placed the means, and therefore responsibility, in our hands of preventing the fearful consequences of leaving settlers and Kafirs to struggle for the possession of the soil; but, on the contrary, I believe that Providence attaches a better check to inhumanity in the full sense of the responsibility being felt by those who are immediately implicated in its consequences (vol. ii., 254).

Lord Grey had left office two years (1854) when his friends carried out by Letters Patent the abandonment of the Orange River Sovereignty above related against which he had himself protested. In reply to the arguments I ventured to offer in the House of Commons against the legality of such a process the precedents of Tobago and Minorca were adduced, both of which were ceded at the Peace of Versailles by the Crown, which still held

them by virtue of cession. It seems still true to me that entire abandonment differed from cession to another power, and the solitary act of alienation from an arrangement for other possession by treaty. There was also a question whether the Crown, in assuming the Orange River Sovereignty, had not exercised powers given expressly by an Act (that of 1836, "to exercise magisterial jurisdiction beyond "the limits of the Cape Colony") which therefore could only be abdicated by authority of an Act, and whether the Letters Patent of 1850 above referred to did not at least offer to concede a constitution so far as to oust the Crown from any further sole authority. There was, moreover, a further question as to the Crown's power of divesting subjects of their allegiance. As to the general policy of abandonment, it was characteristically asserted "to be simply a home affair, "and that the Cape need not even be consulted" (see Debate, May 9, 1854). But as things were fast tending towards leaving the Cape both to govern and defend itself, it seemed to me that we were bound to hand over to the new trustees in good order the engagements we had formerly assumed to ourselves. We are still retaining the frontier in our hands, and I call special attention to our proceedings at the period of this abandonment of territory, because there is now a growing conviction and general desire on all sides that we should re-unite in some way, either by annexation

or federation, all the European governments of South Africa, as a matter of absolute necessity for the well-being of all people, of whatever race or interest, in that quarter of the world.

In 1854 Sir George Grey became Governor of the Cape, and attempted to introduce the civilizing treatment among Kafirs which he thought had succeeded so well in New Zealand. He proposed institutions for the education of their children, and relief of their sick, and their employment in making roads, besides giving gratuities to their chiefs, which Sir James Graham designated as black-mail. Of course all this philanthropy was to be at the cost of the guardian-country, but Sir George held out the prospect that in eight or ten years his experiments might be so far completed that Great Britain might be relieved to a great extent of the expense they first entailed, which was estimated at an additional expenditure of 45,000*l.* a-year. Sir William Molesworth stated in the debate which took place on the first proposal of this vote in Committee of Supply (July 31, 1855) that our military expenditure at the Cape then amounted to between 400,000*l.* and 500,000*l.* a-year, besides the series of Kafir wars, which on an average had cost this country 1,000,000*l.* a-year.

In 1856 there was a fresh alarm of Kafir war, and news of quarrels between the Dutch and the natives, over which we had no longer any power of control; but three more regiments were sent

out, making up an English army of thirteen regiments in South Africa.

At the close of the Russian war, in 1857, we had to dispose of a German Legion, which we had hired to make up by mercenaries for the dispersion of our own forces over the colonial world, in our magnanimous undertaking to relieve all the empire except this little island of military service, and in our pride of presenting our small army in detachments in every quarter, as a show either of useless garrisons, or as an exposure of baits to lure an enemy. The hired legion was 8000 in number, and might have been disbanded on payment to each man of a shilling a day for a year, *i. e.* 18*l.* apiece, and 2*l.* for passage home. But Lord Palmerston's colleagues hit upon the ingenious device of utilizing them, as one of those military settlements on a colonial frontier of which Lord Grey was so fond. The cost of so locating the German mercenaries on the eastern frontier of the Cape Colony was estimated at 100*l.* per man. The offer was made, and it was fortunate that only 2300 accepted it. That estimate did not include the cost of rations additionally promised for a year to the wives and families of those who went out, and Lord Panmure, the Secretary at War, expressed a hope that those who were unmarried would find wives to go out with them. This of course involved also an extension of the Governor's estimate for "civilizing institu-

"tions," especially schools. The original estimate of this expenditure, I have stated, was 45,000*l.* a-year, 40,000*l.* of which England had to pay; the remaining 5000*l.*, I believe, never was paid at all. No sooner had the 2300 men arrived at the Cape than Sir George Grey found it necessary to call them out on active military service, on full pay, to make up for two out of his thirteen regiments which he had just detached to serve against the mutineers in India.

In 1864 Sir P. Wodehouse, as Governor of the Cape, reported that the separate government of British Kafraria was a serious error, and its existence a source of constant embarrassment and weakness in the administration of affairs, besides entailing on the home Government a most inconvenient responsibility. Its annexation to the Colony was strongly and very manfully urged by him, at the cost of his local popularity. The Cape of course objected. They thought it very advantageous to themselves that England should continue to undertake to hold their frontier against the Kafirs. Another obstacle was that the eastern and western provinces disputed the terms on which the new territory could be admitted to a share of their parliamentary representation. The Imperial Parliament, however, settled the question by passing the 28, 29 Vic., 5, which led to the Cape Parliament itself legislating for the incorporation of British Kafraria. The Chief, Kreli, who threatened to

attempt recovery of the advanced territory from the Transkei to the Bashee, which we had taken from him out of Kafirland, was pacified by its restoration.

Upon this readjustment, the question arose as to the terms on which the Queen's troops should for the future be retained in the Colony, so far as any might be required; and as to the further development of local forces, both of irregular horse, and police; besides the Cape Rifles. The Colonists pleaded their financial embarrassments, deficient revenue, debt, and increasing taxation in spite of retrenchment of expenditure, against being put on the same rate of contribution for the Queen's troops as other Colonies, and alleged that they spent 50,000*l.* a-year on their police, and already contributed 10,000*l.* a-year to the expenses of the troops we sent them.

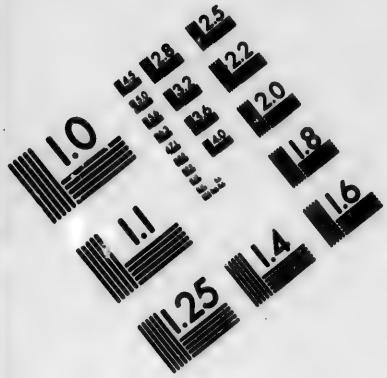
On the other hand, dangers from native tribes had much diminished. Only 4000 Kafirs remained on the Kafirland frontier, and we were spending 300,000*l.* a-year for the colonial defence.

Lord Carnarvon very moderately proposed that the Colony should *gradually* undertake the Australian rate of contribution for such troops as remained among them; and that the present number on the South African station, of five battalions, which was clearly excessive, should be year by year reduced. At the same time he expressed his opinion that, upon the Colony ultimately taking its share of expenditure in common with

other Colonies, its Government should become as fully responsible as theirs to the Legislature. These terms the eastern district was naturally less willing to accede to than the west; but the Legislative Council sitting at Cape Town, after the departure home of the more distant members, passed a resolution favourable to Lord Carnarvon's proposition. In a debate in the House of Lords (June 18, 1867) Lord Carnarvon confessed that experience had proved to him the undesirableness of keeping English troops even in Colonies where native tribes existed, by way of protecting them from maltreatment. Lord Grey, on the contrary, again argued that it was incumbent upon us to put down in South Africa the unchristian *commando* system; nor would he allow that complete responsible government was suitable for any country where the people were not homogeneous. He maintained, also, that irrespectively of such considerations it was advantageous to have out-stations for our army, for their efficiency as well as for their use to colonists; and that it was an unworthy policy for a great nation to save a little expense by shirking imperial duties, and so entailing ultimately greater cost upon itself by wars which would certainly accrue in the end. Economy of military expenditure, however, is by no means the chief reason for withdrawing troops from Colonies and concentrating them at home; nor are native wars more likely to spring up by the colonists being

left to pay for them. It is remarkable that, in the parallel debate of the Commons (June 4, 1867), Mr. Gorst, a high authority on "native" questions from his New Zealand experience, opposed the Cape petition for retention of troops, on the ground that the very fact of the great number of the Kafirs rendered that division of government, which the presence of an English army necessarily entailed, most impolitic. In this debate the House of Commons endorsed the opinion expressed by its Committee on Colonial Military Expenditure in 1861, "that the terms which Lord "Grey had imposed on Australia in 1851 should "be applied to South Africa, where security "against warlike tribes as well as domestic dis- "turbances should be provided for by local efforts "and organization." Mr. Cardwell, at the time when the Committee reported, told Sir Philip Wodehouse, who was then assuming the government of the Cape, that that Colony must prepare for that doctrine being soon applied, and Sir Philip honourably maintained his instructions. Kafraria, which we handed over to the Cape in good order, was as defensible by the local mounted police as the Dutch frontier was by their forces; and much more so, as the event has proved, in consequence of our Colonists' milder policy, which the Kafirs favourably contrast with their rough and irritating treatment by the Dutch. The constant mutual depredations and retaliations which have been going on between the





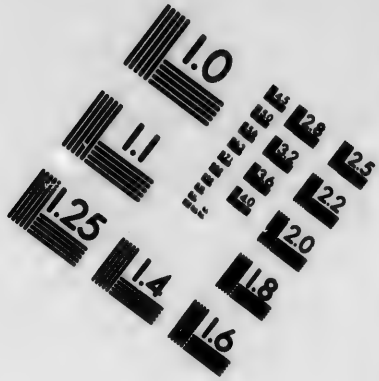
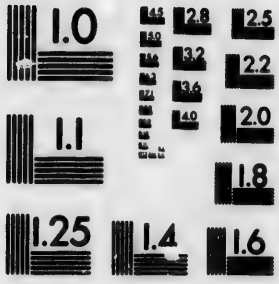
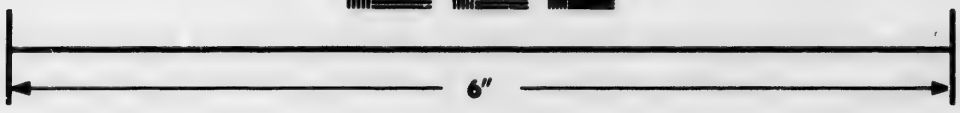
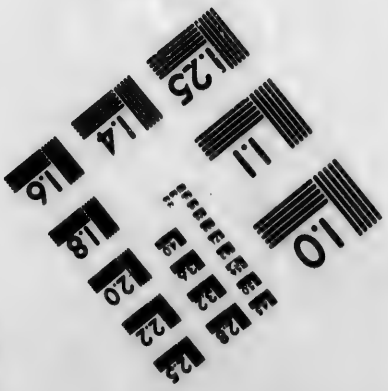


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Boers and the Basutos has led that tribe to petition earnestly and persistently to be allowed to place itself and its country under the sovereignty of the Queen, who, whatever be the government, or no-government, throughout South Africa, is practically looked up to by all as an over-riding tutelary deity, and last appeal against wrong. Mr. Cardwell had suggested establishing an agency under the British Government in Basutoland in preference to actual annexation. But this seemed a repetition of the kind of commissionership which we had sought to get rid of. Natal had recently asked the Commissioner for help to get larger compensation for stolen cattle from the Basutos, meaning that we should fight and pay for the operation. The Basutos desired English protection from both Dutch and Natalians, but on the condition of their retaining the chieftainship of the aged Moshesh, and of his sons after him. The Duke of Buckingham wisely decided that the only feasible settlement of all conflicting interests was the colonial annexation which had been prayed for, on fair terms for all. The Governor was, in accordance with his own recommendation, authorized to negotiate for the annexation of the territory of the Basutos to Natal, if that Colony would undertake its government, and if the Basutos agreed to submit to such taxation as would be required for its government. The Orange River Dutch would necessarily be a

party to the arrangement, as a settlement of boundary with the restless tribe was an essential part of it. Natal would cease to be isolated from the rest of the British dominions; and the Basutos would be, as it were, bound over to keep the peace, and become the recognized subjects of the most powerful and respected sovereignty in that quarter of the world. The Governor found himself compelled to act more summarily than was contemplated in this scheme, or than his instructions authorized. He instantly moved up to the spot with some local police, and entered on negotiations which will probably end in an arrangement to the satisfaction of all parties concerned, and in the permanent interests of peace. The Dutch at first refused terms, unless the Basutos would make heavy compensation in land for their plunder; and sent delegates to England to defend their claim, carrying on meanwhile a vengeful devastation of Basuto crops which precipitated our intervention. But our remonstrance with President Brand, and the Governor's negotiations assisted by the Lieutenant-Governor of Natal with the Volksraad, at their capital, Thaba, seem now leading to reasonable accommodation both as to boundary, border occupation, and annexation of defined tribal territory to the Cape. Probably Basutoland will at first be placed under the Cape Governor, in his capacity as High Commissioner, with a simple form of government for itself.

A general desire is expressed at this moment among the Dutch to be reunited in some way to the British Government; and it seems the prevalent opinion that all South Africa which is habitable by Europeans should come under one powerful and enlightened central supremacy, under which great material improvement of the country and development of commerce might take place. The Duke of Buckingham openly expressed to the delegates above mentioned his opinion that, if the Orange State really desires to renew a connexion with the Queen's sovereignty, no discouragement would be thrown in the way. Mr. Cardwell had said in 1865 that, though the Queen had no wish to enlarge her dominions in South Africa unless it became necessary, the necessity might arise. Both the Free States are at this moment in a most disorganized condition.

The Cape wine trade, which suffered as much deterioration as the spirit of the Colony under our protective system, fell prostrate when we first removed our support; but is now learning to walk by itself, as a new creature, with a vigour and a virtue which it never knew before; as I hope the Colony will when the gradual removal of our troops has become complete, and when their government rests not on the Governor's management, able as Sir Philip Wodehouse has shown himself, but on the responsibility of their own representatives.

The discovery of gold, and silver, and diamonds

of considerable value is now adding to prospects of greater wealth for the Colony.

The Transvaal Republic, athirst for gold and naturally desirous of access to the sea, has proclaimed an extension of its territory both eastward and westward, and Sir Philip Wodehouse refusing to recognize the proclamation has a commission in contemplation to inquire into their proceedings. Their proposed extension eastward towards Delagoa is under cover of a grant to an English private speculator of the name of M'Corkindale, through whom they hope to gain English consent and capital. A field for producing cotton, flax, and wheat for the English market is the prospect held out to tempt our enterprise, but under what sovereignty the territory should be assumed is a clearly preliminary question. The attempt to shut out a spirited people like the Dutch from maritime outlet, or commerce of any kind, is certainly as untenable as undesirable.

Probably the remaining Kafirland must inevitably follow Basutoland in absorption into English government. Under whatever European rule this native territory may come, we seem mainly bound to see that every kind of slavery and slave-trade shall be prohibited. Treaties to that effect must not be made waste paper by kidnapping, or the colourable slavery called apprenticeship, or by various means evaded or violated as our present treaties with the Dutch constantly are. The

Transvaal Dutch seem now to be carrying on a horrible traffic in the children of natives whom they kill in *commandos*, which if proved will be taken as an utter abrogation of their convention with us.

The constitution of the Cape, no doubt, should be completed, whenever the Colony undertakes its own entire support and defence; that is to say, the Ministers should vote as well as sit in the Legislature, and be responsible to it. If, as it seems, the Colonists wish to combine their two elected Chambers of Legislature into one, let them learn wisdom by their own experience. The proposed removal of the seat of government eastward, as resolved upon lately by the Legislative Council by a bare majority of one, but rejected by the Assembly, cannot be favoured by England, but will probably be less and less desired by any colonists, in proportion as improved communication yearly diminishes all reasons for it; though a federation of districts under local governments may, very possibly, become ultimately the best arrangement for the whole of South Africa.

II.—NATAL.

Natal, a strip of land 200 miles long and 100 wide, between the mountains and the sea, is a Lieutenant-Governorship, with a single chamber of Legislature partly elected. It was mainly settled,

after an original attempt by the Dutch East India Company, as an offset from the Cape, in one of the escapes made by the Dutch from English interference with their slavery. It still retains the Roman Dutch law as the basis of its legislation. Lord Grey expresses satisfaction with its extraordinary self-support of its civil administration, which, within six years of his accession to office, had been chiefly supported by advances from the Cape treasury, and by contributions from our military chest in addition to our military expenditure in disastrous warfare during the first establishment of the settlement. Natal has, certainly, cost the Imperial treasury, except in war, less than any recent settlement; and now, though with deficient revenue and in debt, throws only its military expenditure upon us, contributing to that also 4000*l.* a-year in the shape of colonial allowances.

Lord Grey takes just credit for his attempt to raise a larger local revenue in Natal by direct taxation on the Kafir-huts; and his despatch on the subject to Sir Harry Smith, given in his Appendix, is full of interest and philosophy. But I fear his hopes of civilizing influences proceeding from taxation have not been realized, though the natives have certainly advanced in civilization. Perpetual conflicts with the neighbouring swarms of natives, kept in constant irritation by the Boers on the other side of them, has led to an association of farmers in British Kafraria now part of the

Colony, under the title of a "Mutual Protection Society," apparently with the intention of shooting down the depredators on their property. Relations have rather levelled down than up. A member of this society took the opportunity of an investigation going on before the resident magistrate to attack the absent defendant's kraal. Trials indeed have became a farce, as juries can only be got out of the Plaintiffs' Association, except by a very distant change of venue.

Two great reforms are needed for Natal. First, in the constitution of its Legislature; and secondly, in its land-laws.

The hybrid constitution of transition-times, which was conceived only in the idea of training colonists for self-government—Crown-government, with embryo representative institutions in the womb—here, as everywhere else, fails to satisfy or control the people, excites an appetite without even preparing for its satisfaction, and provokes opposition without a vent for its action short of revolution. Better relations with the natives cannot be expected while the Colony is so kept in childhood. There may be circumstances in which a diversity of races prevent free and equal citizenship; but a constitution offering freedom by such a process of gradual development, according to their growth in numbers, has never realized its intention though often succumbed to a necessity of violent reform.

It may be argued that a population of 18,000 Europeans, 5000 Coolies, and 170,000 Zulu Kafirs, is incapable of representative institutions. No doubt the Europeans must practically be the rulers; but the reasons which lead from somewhat similar circumstances to an inference against the possibility of such institutions in an Asiatic Colony like Ceylon, do not apply to Natal, from the different relation to the Government assumed by pastoral and more or less wandering Arab tribes, more like Indians, from that of the Cingalese inhabitants of an Asiatic country. As Lord Grey observes, "Very few indeed of "these people belong to tribes which inhabited the "territory now included in the Colony of Natal "even fifty years ago" (II., 258). It is possible the present race may gradually settle down into a class of labourers, and may some day take their part in a civilized community. At present the Lieutenant-Governor is in fact paramount Chief over the natives, who controls them through means of a diplomatic Agent. They are still allowed their own laws and customs if not repugnant to humanity, but they are being gradually brought under the laws of the Colony.

The Natal Legislature consists of four official members and twelve elected. It cannot conform to the Ceylon idea of a mere Council of advice; and if allowed to take its part in self-government, it must have more popular forms, irrespective of the incapacity of the tribes which make up the chief

numbers of the population to share in the administration.

Natal is divided into Counties; and by an Act of 1854 every County has an elected council for local affairs, and the Towns have municipal self-government.

On the subject of land-grants, and immigration, and taxation for the purpose of settlement, much improved legislation has lately taken place, and more is under discussion.

Dr. Mann holds an immigration agency for Natal in Adelphi Terrace. The large tracts which were at first improvidently granted out on nominal quit-rents are being gradually converted into smaller freeholds. Certain free grants of moderate extent are made to emigrants coming out with incomes of 50*l.* or capital of 500*l.* Leases also are offered of mineral lands. In consequence of these improvements, emigration is increasing to Natal.

CONCLUSION OF PART I.

THUS much I have to say in review of our colonial policy, so far as it relates to representative governments. My object has been to show how the views taken generally in Lord Grey's time have been reversed by an irresistible tendency towards a restoration of our earlier policy, which suffered a violent revolution in America, but has now revived with greater vigour, suited to present times.

It seems that, on the principles of natural reproduction, it is impossible that English Colonies should thrive without English freedom, and without that which is essential to it, self-administration.

So sensitive is our Constitution to any usurpation of the Executive over the Legislature, that English custom restrains the Sovereign from any interference with measures depending before the people's representatives; the theory being that no advice is to be preferred to that of the National Council.

The results of colonial revolution had brought our statesmen to conceive that in superintending, on the part of the Crown, colonial affairs, they were to treat the representatives of our fellow-countrymen, too distant to meet in Westminster, as altogether

incompetent to manage their own affairs, and not entitled to conduct public business in any way which they disapprove.

Yet, even if this country bred Solons for its Ministers, it is nevertheless true of free communities as of individuals, that they must earn, not take, experience. Even if our Colonies pass laws for themselves which seem unwise to us, or hurtful to ourselves, so that they infringe not the commonweal, it cannot be helped. This freedom is necessary for the exercise of their constitutional powers. The alternative is that they should cease to be Englishmen.

Subordinate governments must indeed submit ultimately to a supreme assertion of general interests rarely exercised; but this subordination must not be at the sacrifice of the ordinary constitution, but is solely conceded, for the sake of its integrity, to extreme Imperial necessity.

Those who think colonial independence the forerunner of separation I ask to consider the necessity of independence to a living connexion, and whether dependence must not be rather the surest process through decay to severance. Life denied its natural element seeks for it elsewhere. The languid life which draws its sustenance from exotic nurture loses the very nature of the native source it sprang from, and ultimately degenerates, droops, or absolutely expires. The kindred life of nations maintains itself by community of active energy,

capacity of partnership, identity of interest and enterprise, united tendencies, and congenial relations with the common origin. After all, colonial independence is no matter of option, or of gift, but must be a growth. Our Colonies are rapidly acquiring it in the sense of self-sustenance; and, in exact proportion, are losing it in the sense of disconnexion.

Colonial connexion, when equal rights of citizenship are withheld, relies solely on mercenary calculations of individual interest, and on the balance of any profits from patronage over the expense of independence. The patron country may get some return for supporting dependencies, in their servile submission to its policy. But self-sustaining Colonies are connected by a living link. The connexion with them is an active partnership. England has the advantage of a territorial extension, liberating, not taxing her resources; and the Colonies have the credit and goodwill of England's trade and name. This is an union not likely to dissolve itself, but daily accumulating pledges for its continuance, strengthening itself, and excluding instead of inviting foreign aggression.

When the first rush of population came on the gold-fields of Australia, probably the British Crown would have hardly retained the subjection of the Colony, but for its calculation of pecuniary advantage in our connexion. The healthier feelings of loyalty and hearty attachment are now

rapidly gaining ground on the long start given to lower sentiments.

True, the vigour of freely-governed English Colonies is likely to draw new national character from the new scenes and circumstances in which it has to develop itself. On the other hand, the practice of colonization, in Mr. Wakefield's words, "has "reacted with momentous consequences on old "countries." It has created a new form of democracy, and has reflected political changes on aristocratic Europe. It is an interesting study to observe how many political problems our colonists are working out for us, as it were *in vacuo*, which we dare not test amongst the delicate associations of old arrangements. No less interesting is the speculation, which Mr. Goldwin Smith is said to be now intent upon in America, as to what will be the national character of our race, mingled with other European varieties, when coloured by the novel elements of nationality, on the largest scale, which it meets with in the wider limits of the New World.

PART II.

We have now discussed the first class of Colonies, which are possessed of representative government, and proceed to consider those which, in the rough classification which I have adopted for the sake of simplicity in so cursory a review, may be taken as more or less under the government of the Crown.

Dependencies of this second order are not, like American *Territories*, on their way to a normal state of self-government, but, for the most part, are necessarily remaining under an inferior condition of limited freedom, owing to a large proportion of the population consisting of inferior races, or from other causes of incapacity of equal citizenship.

As English Colonies proper claim, like those of the ancient Greeks, a general equality of constitutional rights with the parent State, under a common head, so these of a secondary order are more like the Roman Provinces, which were placed under the superintendence of a Prætor, whose authority extended over all civil and military affairs; for the cost of which, however, the Romans took care to levy a public revenue on the spot,

while we tax the people at home, under the name of Mother Country.

Towards such dependencies the Secretary of State may assume a more dictatorial tone, though practically his dictation can amount to little more than suggestions or censure. The Governor, with the advice of a Council placed about him, must always be the best judge of local questions, and must be left very much to his own discretion, even in matters involving Imperial interests. The Minister at home can seldom interfere usefully in government at such a distance that his orders must generally come in upon the chapter of events succeeding that to which they relate. In these, as well as in other Colonies, the Imperial Parliament in partnership with the Crown retains an ultimate, though rarely if ever exercised, control over general affairs. The Governor is in all cases simply the representative of the Crown, but with no further check on his proceedings in a Crown Colony than the fear of dismissal, the advice of his Council, and the free expression of public opinion which prevails throughout all the British dominions. The Crown rules through him, may sanction or disallow his measures, may prescribe measures to him, but generally restricts itself to the silent but powerful influence of supremacy, receiving reports of all transactions and expenditure which by gross mismanagement might ultimately implicate the Home Government in some

degree of equitable responsibility. The advantage to England of such dependencies, which are now beginning to pay more of their own expenses, consists in their assistance to commerce, encouragement of enterprise, or in furthering and extending Imperial interests throughout the world.

Such possessions the Sovereign of Great Britain holds for special purposes, and may, if these objects cease to exist, abandon, cede, or exchange at any time, only fulfilling engagements made, and securing interests created. They are not extensions of empire, like national settlements which, if we only abstain from crushing them by protection, and allow them to act as partners with ourselves, will retain a connexion of nationality with us for ever; they are merely occupations for use, and may be alienated without any national severance.

As we left our first subject in South Africa, let us begin the second in the West of the same quarter of the globe.

WEST AFRICA.

THE West African Stations, for they can scarcely be called Colonies at all, originated in enterprises of trade. English companies, from the time of Queen Elizabeth, established operations under their pestilential climate for trading in slaves and gold. Wilberforce turned these settlements to the opposite purpose of putting down the slave-trade, hoping to develop at the same time civilization and commerce. Lord Grey takes a highly coloured view of their commercial importance (vol. ii., 269). The commerce of England with West Africa is certainly of considerable value; though at the Gambia the trade is chiefly French, and on the Gold Coast is retrograding; but the question is whether our settlements have done as much to promote as they have to disturb that commerce. The evidence collected by the West African Committee of 1865, of which I was Chairman, tends to show that our commerce on that coast has thriven better where we have established no settlement, as, for instance, at the Niger; and seems to indicate as the cause of this fact the greater care which is taken by our merchants to keep on good terms with the

natives when they have no English force to back their quarrels, and the less inducement to internal quarrels amongst the natives when there is no great Power near on whose alliance to speculate. The Rev. Mr. Gollmer also gave evidence (Ans. 5927) to the effect that the missionary work throve better and more securely near Lagos before we set up a Government there; and that the mission on the Niger, where we have only a Consul, is the most successful. But Lord Grey, with the highest motives on his own part, is always looking to the establishment and direct interference of English government as our only means of spreading civilization. In his opinion, even civilized English communities in distant settlements require the care of the Home Government, both to train them in the conduct of their affairs, and to curb their unruly passions; much more, therefore, must such supervision be required *in partibus infidelium*. I fear our success in West Africa has not been encouraging either to expectations of so civilizing barbarous tribes, or promoting our own colonial progress. Even our penitential plans for national redress of our injury to West Africa by suppressing the trade in slaves which we first set up, have been ill-directed. The effort, money, health, life, and mind wasted in attempting locally to staunch the supply of slaves, would probably have been better devoted to suppressing *ab extra* the demand for them. A wall of English corpses round

the African shores—and our mortality furnished a large annual contribution—could not stop the egress of slaves while any profitable speculation in their export lasted, nor was all the invaliding and demoralizing of our naval and military service any available sacrifice to humanity while the indomitable laws of commerce continued to operate in defiance of our vows. Even an African king (Gelele of Dahomey) proffered this much of political philosophy to Lord Grey—"If you wish "to put a stop to the slave-trade, prevent the white "men coming to buy them."

The problem of slave-trade suppression is at last happily solving itself. The demand westward, long reduced to that of Cuba only, may be considered on the point of expiring altogether; and the 400,000*l.* which we paid to the old Spanish Government to induce them to give up the Cuban trade, was one of their last investments in it.

The West African Squadron is now Mr. Childers's first item for economy. The African Slave-trade Treaty of 1862, with the additional Article of 1863, accepts and ratifies the willing proposal of the United States to prevent the abuse of their flag by extending the right of search; and the combined resolution of England, France, and America will probably terminate the horrible traffic.

There will then be no loss to civilization should the recommendation of the Committee of 1865 be carried out, "that we should ultimately withdraw

"from all West African governments, except, per-
"haps, Sierra Leone." Even Lord Grey allows that it is an inevitable consequence of such government that the British authorities must tolerate much of which they do not approve (vol. ii., 271). Unintelligible treaties and impossible engagements with barbarous tribes only implicate us in their vicious customs, with no countervailing influence on them. To assume a protectorate, for instance, over a large region throughout which domestic slavery, and the warfare on which it feeds are still maintained, is to embarrass ourselves with intricate responsibilities, with the effect not of extending civilization, but of becoming partners in barbarism. Our utmost achievement is to proclaim slaves free when they actually come into our quarters, but in Lagos even that has not been practically carried out. The Queen is pledged by captains and officers in her service to innumerable little treaties which she cannot really execute, nor the natives understand. In the Report of the West African Committee of 1853 it is stated that at that period the British Crown had entered into forty-two treaties with native chiefs on the West Coast; and Mr. Elliot, in his Evidence before the Committee of 1865 (Q. 114), states that eighty-two treaties were then existing between Chiefs and the Sierra Leone Government alone (see also Col. Ord's Evidence (Q. 205). The weaker tribes, moreover, driven before the stronger half-Arab Maho-

metans, who seek a maritime outlet from the interior, come between them and us on the coast. Our task has consequently been to uphold effete and powerless races against their inevitable destiny—to protect, for instance, feeble and disorganized Fantees against more enterprising and warlike Ashantees—and even to encourage weakness to be insolent, and tax this country millions to fight out the resulting quarrels.

By the British Jurisdiction Act, 1836, we attempted to set up magisterial authority over wide regions north of the Cape, and Lord Grey attempted to extend its operation to the Equator. So also around these West African Stations Lord Grey was charmed with the idea of resident magistrates "discharging the singular duty of en- "forcing the rude laws of savages, qualified by "those universal principles of justice which even "the most ignorant can understand, and while "explaining the grounds of their decisions, diffus- "ing more correct notions as to right and wrong" (ii., 271). The event, according to the testimony of witnesses before the Select Committee of 1865, by no means realizes this pleasant dream. Even within our settlements we cannot carry out the ordinary processes of law according to English notions. The materials for juries are found wanting, and in behalf of the negroes the Legislature of Sierra Leone has abolished trial by jury in civil actions.

GAMBIA.

At the Gambia we have never assumed any protectorate over neighbouring tribes. An English Company first occupied the mouth of this river, in Queen Elizabeth's time, for slave-trading. The Treaty of Versailles, 1783, divided the territorial claims of France and England respectively between the Senegal and the Gambia. After the Treaty of Paris, 1814, the French excluded our merchants altogether from their Station, and the English merchants so expelled settled themselves separately on our own Station at Bathurst. The abolition of the slave-trade in 1807 had shut up the former speculation in slaves, and the trade of the new establishment dates only from 1816.

The trade of our Station is chiefly carried on with the French, in ground-nuts for which they pay in specie, and commerce has remained very stagnant; nor has the Settlement been able till very lately to pay its own expenses, having made up its revenue partly by a grant in aid from the British Parliament.

Lord Grey takes a sanguine view of the probable development of trade at the Gambia, and of the possibility of establishing a cotton-field there; but Colonel Ord's evidence before the Committee of 1865 is altogether adverse to any such expectation.

There are only 191 European residents at

Bathurst, chiefly merchants, English and French. For the protection of their establishments the garrison and officials have been located on the unhealthy bank of the river, though the headland of Cape St. Mary, at its mouth, offers less fatal ground for their habitation. A post on McCarthy's Island, a little way up the river, was at the recommendation of the Committee of 1865, abandoned—and just in time, before the French from Senegambia drove Maba, a warlike Mahometan Marabout chief, down upon that neighbourhood, when our intervention, though asked for on both sides, was fortunately, by our absence from the spot, avoided.

The Governor at that time, indeed, advised the assumption as British territory of what is called the "ceded mile," opened to us in 1826 by the Chiefs of Barra, on the north bank of the Gambia; but the policy of non-extension recommended by the Committee was adhered to.

The French, whose establishments at Senegal, both military and naval, are very large, and who seem to desire to extend their empire on the West as much as on the North of Africa, have made overtures to us for the possession of our Settlement on the Gambia, which is distant only 190 miles from them and 500 from Sierra Leone; and for my part, considering that our interests in commerce and in suppression of slave-trade would not suffer, and that the French have a peculiar fancy for tribal

warfare, which is inevitably coming on thereabouts, I think we might wisely offer them terms as "handsome," in the way of transfer, as Lord Grey (see p. 208) got for us from the Danes on the Gold Coast.

The French have asserted a right to occupy the mouth of the River Nunez, south of the Gambia, half-way to Sierra Leone, and to levy duties there; and the traders at the River Pongas, still farther south, where we have treaties for free commerce with the Chiefs of all the surrounding countries, for which we pay them stipends, are complaining of French interference. A friendly correspondence and reference to actual documents, will no doubt clear up these questions of right, as well as a Portuguese claim to the Island of Bulama in the same quarter, which has already been referred to the arbitration of the United States.

The scheme lately rife in Manchester of opening a cotton-field about the Gambia seems to have collapsed. The territory ceded to us by the King of Combo, to the south of the Gambia mouth, may have the capacity of such culture; but the climate, within 14° of the Equator, prevents any possibility of Europeans undertaking it.

The judicial authority established by Letters Patent, 1843, at the Gambia is only exercised over British subjects; though the natives sometimes resort to the Supreme Court, and in ordinary cases form the juries.

SIERRA LEONE.

Sierra Leone, the chief of British Stations on the West Coast of Africa, was ceded to us by the native Chiefs in 1787; and in 1791 a Company, including the celebrated and significant names of Wilberforce and Sharp, undertook its management for the settlement of liberated slaves, until the epoch of their success in the legislative abolition of the slave-trade, in 1807, when the Crown assumed the government of the Station. In 1821 the African Company was abolished, and the Sierra Leone Government was extended over the Gambia and Gold Coast Stations. In 1842, in pursuance of the recommendations of a Committee of that year, the three Stations were again put under separate Governments, and remained so till the general concentration in 1866. Some additions were about that time made to the Settlement of Sierra Leone, namely, British Quia and Sherboro; and, as we assert, the Islands of De Los and Bulama were annexed by treaties of cession. The Bullam shore and Rokelle Bank were also annexed, to keep the natives under control in the immediate vicinity, and for fiscal command of the trade.

Judicial authority was constituted by charter, both over British subjects at the Station, and over those residing in the territories of adjacent native chiefs, and, further, by the 6, 7 Vic., 94, over offenders brought into Sierra Leone from foreign

jurisdictions. A mixed Commission, also, was established at Sierra Leone to adjudicate on prize slavers.

We have improved judicial process by the abolition of juries in civil causes in which the value litigated is below a certain amount, and by restrictions on a low set of practitioners, who were fleecing the poor. Besides the Court of Summary Jurisdiction, we have established a Land Commission Court, and reduced a scale of fees, which, with other obstacles, kept the Crown lands from sale, and produced every sort of irregularity in the making out of titles for sale.

Lord Grey remarks (vol. ii., 292) that, considering the large expenditure incurred by this country, Sierra Leone must be admitted to have disappointed the expectations of its philanthropic founders. "The too great readiness of Parliament "in meeting the demands made upon its liberality "on account of this Colony in its earlier days had "an opposite effect on its real prosperity from that "which was expected." He found its finances in an exceedingly unsatisfactory condition, and his favourite experiment of direct taxation, in the form of a house-tax and land-tax, to which was added a road-tax, which was exacted as a poll-tax either in money or labour, failed to realize his object of imposing a necessity of exertion on the rude class of liberated Africans inhabiting the Colony.

A great mass of these liberated slaves were

induced to emigrate to the West Indies. In five years from 1860, 5757 were so disposed of.

The whole taxation of the Colony does not exceed 10*s.* 3*d.* per head, of which the direct taxes are about one-fourth.

The population amounts to 41,000; of which only 130 are white, who are scarcely kept up to that small number by fresh arrivals constantly recruiting the ravages of the deadly climate.

A proposal to send our convicts here, when North America was closed against our transportation, was denounced in a celebrated speech of Burke's as an unjustifiable alternative to death.

The Duke of Buckingham sent Mr. Laurie to report on the state of education in Sierra Leone, whose recommendation to establish a superintendent of education, and a model school, the Governor Kennedy approves. The report is not so unsatisfactory as was expected, and indicated a general desire for improvement.

GOLD COAST.

On the Gold Coast we have had small success in civilizing the natives, or in establishing our own government, or in extending commerce. Our relations with the Gold Coast having been from the year 1672 carried on by Companies, were in 1821 transferred to the Government at Sierra Leone, but, after the disasters of the Ashantee war

of 1827, were destined to be abandoned, and were practically left in the hands of a committee of merchants in London, whose Agent, Captain Maclean, became well known in West African history (Com. Evid., Q. 51). In the year 1843, however, the Crown resumed the Gold Coast forts, and by subsequent proceedings assumed what is called indefinitely a Protectorate over neighbouring tribes lying between them and the Ashantees.

The influence of English power has been partially beneficial in checking barbarous practices, human sacrifices, and endless internal feuds, but much more abused as a basis on which native intrigues, and rotten governments have been sustained. We set up one little king, and fine another; but we succeed rather in stirring up a mess than in settling anything, and we implicate ourselves in affairs on one side no better than the other, from which, when war threatens, the House of Commons seeks frantically to extricate itself. There is even ridicule attaching to such partnership with barbarism. We dethrone a Chief who runs off with the regalia, so that a successor cannot be installed. We make the Cape Coast king, Aggery, who had become the focus of discontent, our prisoner *en parole*, paying him five shillings a-day to be quiet; by which *pulveris exigui jactu* he has been compressed, and even the African Society has now discarded him; but the succession remains on our hands.

Lord Grey, full of philanthropic schemes, in 1850, strengthened the government of the Gold Coast, and induced Parliament to buy ten more forts from the Danes; who, he says (ii., 278), "very handsomely" shifted upon us what they had found a heavy burden, taking only 10,000*l.* for their stores. Part of his plan was to replace the garrison of West Indian companies by a local corps, who, like sappers and miners, were to utilize the intervals of military service by road-making and public works (ii., 279). This experiment, however, Parliament refused to take upon its estimates, and Lord Grey allowed that it was so purely local an affair that the merchants might pay for it, and even do it more economically for themselves than we could for them. He therefore proposed that they should raise a local revenue for the purpose by import duties on spirits; which, however, was impossible while the Dutch refused to co-operate. The forts of the Dutch and English being mixed along the coast, of course neither could levy import duties except in concert with the other. The chiefs were then induced to submit to direct taxation in the shape of a shilling poll-tax, and they were themselves constituted a Court, together with some of the Council, to enforce its payment — a device which Lord Grey describes as creating a "rude "negro parliament, which converted barbarous "tribes into organized nations" (ii., 285), but

which Colonel Ord's evidence rather shows to have utterly failed. The impossibility of levying duties, from want of Dutch co-operation, led us, in 1867, to avail ourselves of their readiness to make such exchanges of Stations as should put all the forts on the east of the river Sweet, as far as the Volta, in our possession, and all to the westward in theirs, the influence of each nation stretching northward up to the frontier of the Ashantees; and a reciprocal tariff of duties being arranged between the two. The treaty has been concluded, but the unpopularity of the Dutch has caused some difficulties in placing them in possession of their new Stations. It may be hoped that our influence will suffice, without implication in actual hostilities, to carry out this improved arrangement. The Dutch having always favoured the Ashantee interest, our friends the Fantees, whom we have thus handed over to them, take alarm. The Dutch have, more wisely than we, abstained from actual protectorate engagements, and restrained their occupation to the range of gunshot round their forts. They have adopted a more exclusive and self-contained policy than our more philanthropic and commercial views have permitted—indeed, their interference with the natives has been chiefly in the way of making use of them, enlisting some in their military service in the Eastern Archipelago. This difference of policy has increased the difficulty in carrying out an exchange, though con-

stituting in itself one of the chief reasons for its necessity.

Perhaps the appointment of a "Judicial "Assessor" has been the best application of our influence amongst the tribes around our forts. It sprung from an Act in 1843 on the resumption of Crown government, and provides not only a superior jurisdiction over natives, but a circuit superintendence over their ordinary magistracy on a sort of vague equitable discretionary principle of arbitration most suitable to their limit of intelligence.

LAGOS.

The fourth British Station in West Africa has been established since Lord Grey's publication, in 1862, at Lagos, close to the Equator, on the Bight of Benin.

By a treaty in 1851, Mr. Beecroft, our Consul at Biafra, engaged the Chief of Lagos to put a stop to his slave-trade; and in 1861 the Chief Docemo ceded the territory, pensions being paid both to him, and to Kosoko the usurper whom we had ousted for him.

From the Volta River, our eastern boundary on the Gold Coast, to the Niger the great Yoruba country extends, according to Captain Burton, for 350 miles along the "Slave Coast," with a depth of about 200 miles northward inland, including

the kingdom of Dahomey which borders eastward on the Ashantees; but in the neighbourhood of Lagos this great territory has become broken into independent little provinces. Abbeokuta, the capital of the Egbas, became, in 1840, the seat of a Christian missionary Station amongst emancipated slaves brought from Sierra Leone, and is in perpetual warfare with Ibadoon, a territory lying north of it, the chief dispute being about a free access of trade from the north to the seaport at Lagos by the natural thoroughfare of the river Ogun. In these disputes, our possession of Lagos, and our many treaties and engagements, more or less constantly involve us, and commerce is continually being thereby checked. The French also somewhat complicated matters here, in 1861, by a nominal occupation of Porto Novo on our west flank, which, however, they have since abandoned in disgust; nor have they now anything nearer Lagos than their posts about the river Asinee, on the Ivory Coast, at the western extremity of the Gold Coast; the space beyond, between them and Sierra Leone, being occupied by the settlement of freed Africans from the United States—Liberia—which, with what else I have mentioned, completes a civilized occupation of all the western coast of Africa from the Senegal to the Niger. Southward of the Niger, the Spaniards hold Fernando Po with a small garrison of Cuban emancipados—their Eu-

ropean troops being found to die there too fast—and with two old ships of war; but nothing interferes with tribal domination over the coast thence down to the more temperate climate of our South African settlements, except the Portuguese convict settlement at Loanda about the Congo, where it is to be feared slaves may still be occasionally exported, as possibly also by the Spaniards at Fernando Po.

The trade of Lagos, if peace could be maintained, would be very promising—in palm-oil, ivory, and cotton which is indigenous—and the Station only wants labour and roads to establish an important commerce, if sufficient white superintendence can be kept alive by frequent reliefs.

The government of Lagos has ceased to cause any charge to the English treasury. The police of the Settlement consist of a small body of constables, employed to enforce the orders of the Courts, and a larger body of armed Houssas, who are hired from the Upper Niger.

There is a chief magistrate and commandant at Palma, Leckie, and Badagry, our three outposts along the Lagos lagoon and shore.

In reference to this Settlement, the Report of the Committee of 1865 thus concludes:—
"In the newly-acquired territory of Lagos, the
"native practice of domestic slavery still exists,
"although at variance with British law—a state
"of things surrounded by many local difficulties,

"and demanding serious attention with a view "to its termination as soon as possible."

Our Government has not taken any action at the Niger except to institute the first exploring expeditions. We have placed a Consul at Biafra, in which neighbourhood the Cameron Mountains, according to Captain Burton, offer a habitable Olympus, whence European deities might still preside over African destinies. The Consul at Biafra has to settle disputes between supercargoes and natives in the Oil Rivers, and between the merchants themselves; and to guard the freedom of commerce. He at one time stopped a Liverpool association from setting up an exclusive trade with the native king, Bonny, and prevented exclusive privileges being given by the same king to France. Whether he can be as useful and influential when the squadron is withdrawn remains to be proved. But there seems to be some confusion in the indefinite distinction between a government and a consulship in West Africa. The Colonial Office receives no reports from the Consul at Biafra, nor from the Administrator of Lagos when acting as Consul of Benin. Even an attack on our merchants on the Niger, which took place lately, was not reported to the Colonial, but to the Foreign Office, which treats with the natives in these parts as foreign powers. It would be better if one or the other Department of State undertook the whole of our correspondence with this country.

Lord Grey says, apparently of West Africa generally, though with more immediate reference specially to the Gold Coast (vol. ii., 286), that "the "true policy is to keep constantly in sight the "formation of a regular government on the Euro- "pean model, and the establishment of a civilized "polity, taking care that each successive step shall "appear to the people themselves the natural "mode of providing for some want. It is thus," he adds, "that our own institutions have grown up."

I do not think any guardian angel has so trained England in principles of government; and I am quite sure that no miracle can set up the European model in West Africa. I rather agree with the resolutions of the Committee of 1865, "that the object of our policy should be to en- "courage in the natives the exercise of those "qualities which may render it possible for us to "transfer to them the administration of all their "governments, with a view to our ultimate with- "drawal," which I understand to mean that we should get out of the scrape in which we have involved ourselves, as speedily as we honourably can, leaving the tribes in a fair way of being able to hold their own and govern themselves, securing, of course, complete respect, on our departure, to the claims of the few merchants and agents who have established themselves amongst them.

After Dr. Madden had been sent out in 1841 to report on the West African Government, and

particularly on alleged connivance by members of Council with the slave-trade, a Committee of the House of Commons adopted his view that the distances between the Settlements rendered a separation of government expedient.

The improvements in locomotion and communication now, however, make concentration more desirable, and the Committee of 1865 recommended that the reasons for the disintegration of West African government in 1842 having ceased, a central Government over all the Settlements should be re-established at Sierra Leone, both for the sake of economy and greater efficiency.

The recommendation of the Committee was immediately carried out by Mr. Cardwell. A commission and instructions, dated February 1866, revoked former commissions, and constituted one Government, of the four West African Stations, at Sierra Leone. At each Station a Legislative Council was established, empowered to pass ordinances subject to the veto of the Governor. At Sierra Leone an Executive Council also was established to advise and assist the Governor, who is furnished with a steamer for the purpose of visiting annually, the whole of his command. At the minor Stations Administrators are placed who are instructed to act only in communication with him, and under his general orders.

The few troops required, which are all West Indian, and number about 1100, are to be concen-

trated at Sierra Leone, I hope in healthier barracks, and police alone are to keep the peace at the other Stations. Detachments from the central garrison are to be sent out as required, as they lately have been to Cape Coast; and a gun-boat is placed on the Gambia.

This concentration of government has already led to its improved efficiency.

By an Ordinance of 1866 a Supreme Court of Appeal has been established for all British West Africa, and the Civil and Criminal Courts have been placed on a larger and sounder footing. This was done under the powers of the Falkland Islands Act of 1843, which empowers the Queen to constitute courts of justice on the African coasts, and to delegate her judicial authority as she pleases by commission.

The charge on account of all our West African government still falling on English taxpayers, amounts now only to 3300*l.* a-year, distributed as it is wanted among the four different Stations. The excess of their aggregate expenditure over all the revenues is charged on our estimates. At this moment, for instance, Gambia's surplus makes up the Gold Coast deficiency. The West African squadron, the cost of which used to be roundly estimated at 1,000,000*l.* a-year, is happily about to be removed; its work is achieved, though after frightful sacrifice of the lives of gallant men—a sacrifice only recently diminished by a

system of speedier reliefs—now to be altogether stopped by our otherwise arriving at the great object of the efforts which have been so perseveringly and honourably made for the suppression of the slave-trade.

As to this country occupying West African territory for the purpose of extending legitimate trade, it is worth while recalling Mr. Cobden's words on the subject in a speech in Committee of Supply in 1850, on a vote proposed of 25,000*l.* to defray the charge of these civil establishments, and for the purchase of Lord Grey's Danish forts. He was a man who combined rigid economical views with a generous sentiment of patriotism. His words were to this effect—The national obligation to the interests of trade is to remove obstacles, but not to purchase land for its promotion. Manchester and Liverpool petition for new cotton-fields, but we must not spend national taxes to prosecute local projects. We have long possessed available territory enough for opening any extent of cotton-field without Government doing anything to open it, nor is it the business of Government to acquire territory for such purposes. Nor indeed is it the way to extend civilization and Christianity to attempt educating savages over the white man's grave. We cannot take up Stations without extending territory, and involving ourselves in endless and fruitless obligations. We are told that if we occupy territory enough we may secure a revenue

for its maintenance, but the result is generally more of outgoings than of income. Our merchants should have every facility to engage themselves in foreign trade and speculation, but the purpose of Government in acquiring territory, whether for suppressing slave-trade or for opening other trade, must be frustrated if only by the incompleteness of such an undertaking. Existing governments will be disturbed without being replaced by any effectual substitute. Slaves get out, trade is smuggled, and barbarism survives, for all we expend in lives and taxes to establish what must prove after all an ineffectual administration of English power in West African country.

These views seem to me wise, which I have most unworthily, though I hope fairly, epitomised.

Our Indian empire offers no encouragement to attempt a similar intervention in West Africa, nor are we prepared to carry out such a project.

If, then, neither the stoppage of slave export, which is better effected by the suppression of the demand, nor the civilization of savages, for which Government is the worst agent, nor the extension of commerce, which should rather seek out its own extension—if none of these objects justify the holding and inevitable extension of territory on these fatal shores, we may accept the judgment of the West African Committee, that every available opportunity should be taken for honourably withdrawing from them.

WEST INDIES.

The West Indian Colonies come next in review.

I have placed them roughly in the category of Crown Colonies, which most of them are, and more are becoming, though many of them have partially representative, but not responsible, government. Even in these the elective principle is chiefly introduced into hybrid legislative councils, partly elected and partly nominated by the Crown, and very few have an independent popular assembly.

To take a circuit of them in geographical order, which happens also to coincide nearly with their chronological course of connexion with us, we will consider in turn Jamaica, with its subaltern governments of Honduras and Turk's Islands, the Bahamas, the Leeward and Windward Islands, Trinidad, and Guiana; and first I will summarily review them all.

Jamaica, having for two centuries enjoyed a representative constitution, has recently volunteered to discard it. In an interesting pamphlet just published, on 'Jamaica under its New Form of Government,' it is said: "Nothing is so credit-

" able to the late House of Assembly as the fact " that it had a hand in its own extinction," and, quoting Mr. Eyre, " it sacrificed itself on the altar " of patriotism." " It was regretted only by a " few sentimental enthusiasts, who would rather " see a caricature of representative government " than no sign of it at all." We were extending the political franchise at home when our fellow-subjects in Jamaica recognized the absence of proper materials there, and even the withdrawal, owing to late events, of the most capable men they had. We may hope that in the case of Jamaica the recession from free government is but a step back by which to recover it more securely, as the requisite means may accrue.

The government of the Turk's and Caicos islands, subordinate to the Governor of Jamaica, has for the present become more popular than that of its superior, having a Legislative Council only partly nominated by the Crown, and the rest freely elected by all taxpayers who can read and write.

The government of Honduras, also subordinate to that of Jamaica, was somewhat liberalized by an Act in 1853, which gave the Legislative Assembly eighteen elected, and left only three nominated members.

The Bahamas retain their old representative Assembly.

All the Leeward Islands have, within the last few years, reformed their legislatures, which used

to consist either of two Chambers of which one was wholly elected, or, as in the case of Dominica, and, after 1854, in the Virgin Islands, of one Chamber in which the majority were elected. Antigua, Nevis, St. Kitts, and Dominica (see p. 290) have constituted their Legislative Council of two equal divisions—one half elected, the other half ex-officio, or nominated—while Montserrat and the Virgin Islands have framed their Councils entirely of official or nominated members, and the Crown has in every case a casting vote through the President, who is either the administrator of the Government, or a member of the Legislature appointed by him.

Of the Windward Islands, Barbados, Tobago, and Grenada have each of them one of two Chambers wholly representative; but St. Vincent in 1867 substituted for its two Chambers a mixed Council of twelve members, only half of whom are elected, the Crown which nominates the rest having the casting vote; and St. Lucia is an unmitigated Crown Colony.

Trinidad is a Crown Colony; and Guiana is nominally such, though the power of the Governor is really limited by a partly elected "Court of Policy," which, whenever it exercises the power of the purse, receives an addition of financial representatives in "Combined Court."

It is the unanimous policy of this country now to group these numerous little colonies under

fewer governments, by which means their administration will be both economized and made more efficient.

These islands, acquired from time to time, were originally put on separate establishments as nests of patronage, from which large sinecure salaries were long received in England, while numerous ill-paid and inferior officials executed badly the duties which one-third of their number of a higher stamp would have better performed.

The great abuse of granting Patent offices, to be held by men who, living in England, received at one time as much as 30,000*l.* a-year from Jamaica alone for duties performed by deputy, has been long suppressed. The last sinecure of the kind has expired. It is also right to observe that the abuse of multiplied offices was partly excusable by the extreme difficulty of communication when steam was unavailable between stations to windward and leeward of each other, with the wind almost always blowing the same way, and the harbours only on one side of the islands.

Consolidation of government will cure some of the worst remaining defects of an over-officered administration, which, amongst other reasons, have driven these colonists to renounce the advantages of the English constitution, but the difficulties will still stand in the way of self-government which arise from the large numbers of an inferior race, and the baneful effects of slavery. The conduct

of affairs on a larger scale will probably get into better hands; and a higher class of local statesmen, and a more thriving condition of citizenship will spring up, which may in time produce suitable materials for representative government.

The United States journalists constantly hold out to the British West Indians, as an inducement to annexation, glowing promises of economy of government, an influx of vigorous white population, and a speedy acquisition of the complete management of their own affairs. Probably, while the coloured race constitute a large proportion of the population, the nearest possible approach to self-government will be little more than that of an oligarchy; and we must remember that when Jamaica first possessed representative institutions, the negroes were slaves.

Lord Grey's second Letter relates generally to "the Sugar Colonies." The imperial adoption of free-trade had produced a recent crisis in their history. The application of the new commercial principle to their protected staple occurred, in 1846 and 1848, during his administration. The abolition of all fiscal privilege to their productions, and of all preference of free-grown to slave-grown sugar, caused a colonial struggle which Lord Grey accuses the Protectionist leaders in Parliament of fomenting.

Negro emancipation had been defectively carried out. Its enactment passed through a long

parliamentary conflict, which impeded some provisions, and carried others to extremes.

The West Indian distress which followed upon free-trade was, in Lord Grey's opinion, not so much owing to the withdrawal of protection from sugar, as to defects in the measures for emancipating slaves. These various measures he thinks, offered the negroes no fresh motives to industry when coercion was gone. Lord Grey's favourite stimulus of direct taxation was not applied when the whip was removed. The fact is that the gradual change from slavery to freedom through apprenticeship was recklessly cut short under the impulse of a noble passion stirred by opposition into something like fanaticism.

Lord Grey goes too far in saying that no provision was made for education and religion, for we charged our Consolidated Fund with an annual tribute of 23,000*l.* for West Indian schools and clergy, from which we only last year relieved ourselves.

We avowedly promoted also immigration; but with such needless and mischievous restrictions, under a fastidious dread of reviving slave-trade, as to incur responsibility for frustrating instead of promoting the main chance of a prosperous transition from slavery into the freedom which we were inaugurating.

While suddenly depriving the planters of slaves, we needlessly barred the influx of free

labour, a full supply of which was a necessary complement to emancipation. The slaves, let loose on the luxury of *far niente*, easily supplied their own few wants, and their intermittent and capricious service ruined the critical culture of the sugar almost as much as a total default of labour. In Jamaica many of them took to cultivating little plots of ground for themselves. In Barbados, where thick population left no room for land-allotments to emancipated negroes, and the labouring class must wholly depend on labour, there has been less distress, and estates continue to pay a good return to their owners, who from their better circumstances did not receive so much as those in Jamaica of the compensation grant at the period of slave emancipation.

To supply the general want of labourers after emancipation only a few liberated Africans were at first obtained. More recently, however, a regular supply of Coolies from India and China has been made the subject of both legislation and convention. In 1866 an attempt was made to regulate emigration from China by a convention, which was assented to by Prince Kung, but demurred to by the Governments of England and France on the point of a costly stipulation for a back passage at the end of five years, or a heavy bounty in lieu if the emigrant re-indentured himself. This was thought too burdensome to the planters. The negotiation is still open, but while

the Chinese Government decline to modify the convention, or to return to the old regulations, emigration stands still. Our Consul at Canton recommends a perfectly free emigration, without any conditions, and certainly prior to 1867 upwards of 15,000 Chinese had gone to Trinidad and Guiana on the old system, with no such stipulation, and were perfectly satisfied with their treatment.

In India an Act was passed, in 1864, consolidating seventeen Acts passed since 1839, to regulate the emigration of Indian Coolies. A Protector of Emigrants is stationed at each of the Presidencies, and a system of recruiting, licensing, and shipping has been carefully established with every possible safeguard. The emigration is chiefly from Madras, and to Mauritius, Guiana, and Trinidad. Wherever the Coolies are taken, they find laws and regulations made expressly for their protection, and agents appointed to visit them. The improved physical and moral condition of the imported labourers, and the number of them who have laid by money, gone home with it, and come out again with friends to earn more, are proofs that we have found in this enterprise a reciprocal remedy for the double want of employment in one quarter of the world, and of labourers in another. Those who allow a blind fear of repeating the old iniquity of slave trade to stand in the way of such real redress of its past mischief, are impeding, instead of guarding, one of the natural adjustments of the world's

economy. To avoid relapsing into an old injustice, they would be still more unjust another way; they would keep Coolies starving in India on wages of a penny a-day, and place an embargo on the demand for their labour elsewhere—having stopped a wrong service they would now obstruct the right—with the heedless cant of vicarious philanthropy.

We have lately facilitated the remittance of savings by Coolies to their homes by establishing a money-order system for their especial benefit between India and the West Indies. We have also done our utmost to maintain a fair proportion of women amongst the emigrants; and consequently it is likely that many will settle in their adopted country, though it seems that antipathies of race may long hinder their complete absorption into such new communities. But I reserve the general subject of emigration for a later chapter.

I proceed to consider each of the West Indian Colonies in the order in which I have already referred to them.

JAMAICA.

Jamaica, the chief and of late the most deeply interesting of our West Indian Colonies, possessed a representative constitution for two centuries, from the time of its gift by Charles II., after the first military occupation by Cromwell, till it was voluntarily surrendered back to the Crown in

1866. What was called popular government was practically an oligarchy of planters over a population of slaves, and the islanders were never happy under it, neither the dominant nor the helot class; and when Lord Grey expresses regret that this sad mixture of ruin and oppression showed that "the possession of the powers of self-government "affords incomplete security for the welfare of a "community" (vol. i., p. 167), he is simply playing with the term "self-government." Cromwell's popular scheme of administration, which Charles II. carried out, was in theory liberal, and practically so to those whom it included, but it was self-government only to the few and wealthy. Even to them the limits of freedom were narrow. They soon had a constitutional struggle with the Imperial Parliament which, treating their self-government as subject to superior orders and secondary to English interests, imposed a duty of 4½ per cent. on their commerce for their local requirements, and regulated the commerce itself avowedly for the advantage of England. In a very different spirit from that which recognized self-government contemporaneously in the New England Colonies, they were bidden to develop the wealth of their country for the benefit of English trade, and Companies were chartered, and, soon after, the Assiento contract was made expressly to furnish them with slaves to carry out this purpose as rapidly as possible.

Then began a horrible state of society. Maroon wars and slave insurrections were put down by the planters with gibbet, fire, and lash, supported by our regular troops, and aided by bloodhounds; and scores of Acts of the Assembly record a profuse expenditure incurred in continual suppression of rebellion.

Many of the planters fell into habits of licence and gambling, ending in bankruptcy, which led to increased absenteeism of the more respectable class; and government being left in the hands of agents and overseers, caused still more social and administrative confusion.

According to the Report of a Committee of the House of Commons, in 1807, things constantly grew worse after the Maroon War of 1798. About that time philanthropists in England, making every effort for the abolition of slavery, were sending out missionaries, chiefly of the Baptist and other dissenting sects, whose influence among the negroes was resented by the planters; and Wilberforce, in advancing his great work, was in perpetual conflict with the local authorities, and incessantly violating their theoretic constitution. He induced the Imperial Parliament to pass overriding Acts, such as that for registering slaves, and to disallow local Acts, till the ferment of irritation boiled over. Discussing one of these Bills, in 1815, Romilly said, "A great deal has been gained by this debate. "It is important to put an end to the notion

" entertained by the planters that their legislature " can regulate their own internal concerns."

Of course the Parliamentary interference encouraged local insurrection. A frightful slave encounter took place in 1831.

In 1833 the labours and throes of emancipation were consummated.

By way of a transition stage, slaves were made apprentices, and had provision-grounds allotted to them; but this state of things, as I have said before, was not allowed to last, and soon bred its own new contentions, apprenticeship was precipitately discarded, and absolute freedom proclaimed.

The Imperial Parliament now proceeded to undertake for the West Indians what it considered the necessary corollaries to the emancipation which it had carried for them, and to legislate, specially in behalf of the negroes, for the improvement of public institutions in Jamaica. Acts were passed for a better provision of hospitals, workhouses, and gaols; while for the benefit of the planters was set on foot an immigration of Indian labourers, which at first signally failed.

The result of all this vicarious legislation was increased local agitation, until, in 1839, the Assembly stopped the supplies. The Melbourne Ministry then attempted to suspend the Jamaica Constitution for five years; and, in miscarrying, brought an Imperial Ministerial crisis into the Island's history. Sir Robert Peel could not make

a government, and the Whigs returned to power with a modified Jamaica Constitution Bill.

In Sir Charles Metcalfe's Governorship of Jamaica these constitutional modifications were carried out. Only two slight struggles occurred: one on the distribution of patronage, and the other on the removal of the seat of government from Kingston. His popularity, talents, and private wealth enabled him to pacify parties, and to control the *soi-disant* representative Assembly.

Lord Elgin led the colonists at length to expect greater freedom if they would look more to themselves, and less to speculations on England; and directed their attention to the improvement of their estates, and development of their own resources. He got, in a significant way of remedy, an Encumbered Estates Act passed and Commission appointed; the cost of which, however, has hitherto chiefly fallen upon this country.

When the struggle against Imperial free-trade policy came on, after the passing, in 1846–8, of the Acts for equalizing duties on free and slave-grown sugar, the planters complained of the many wrongs they had sustained by Acts of the Imperial Parliament. They pleaded in a Memorial that, "Slavery was first established among them by the "parent Government, their lands having been "patented on the condition of their maintaining "slave cultivation for the promotion of the "national wealth, and now they were called on

" to make the same production with the required " means forbidden them." Jamaica certainly suffered most by emancipation, as was apparently acknowledged from the share it received of six out of the twenty millions voted for compensation; but it had never really prospered during the pretended palmy days of slavery, and the planters aggravated the injury inflicted on them, and which was so largely compensated, by doggedly refusing to adjust themselves to the change, or to legislate at first to meet its requirements. They greatly mismanaged their finances, and loaded their revenue with debt, while capital forsook the island; and the commercial calamities of 1847 may partly be attributed to their uncompromising resistance to the inevitable turn of Imperial policy. The change certainly came suddenly upon them, and great was the distress. Estates were abandoned; and when prices fell the English merchants refused to make advances. Havana was illuminated for joy at its rival's fall.

The colonists, however, adopted shortly after a liberal reform in their electoral franchise, which brought no less than fifteen black " citizens " into their Assembly, but the boldness of this advance only more clearly elicited proofs of irreconcilability, and of the impossibility of associating the whole people for common representative government.

Rumours of negro risings, and purposely-circulated reports of United States annexation kept

Jamaica in a succession of excitements after this period, where Lord Grey's account ends, until, in 1865, an insurrection occurred equalling that of 1831 in horrors both of bloody violence, and of more bloody repression. The panic among the authorities, and the savage boldness of the rioters were equally occasioned by uncertainty as to the part the Maroons would take. Had they joined the insurrection, or stood aloof, it is the belief of those best acquainted with the case that there would have been a general massacre of the whites throughout the island. As it was, they stood firm to the Government, and in doing so deprived them of any justification of the prolonged measures of repression which were resorted to. They held the Blue Mountain passes between St. Thomas-in-the-East and the rest of the island, and gave material aid to the authorities in confining the insurrection to that corner of the island.

There were 1000 regular West Indian troops in the island, 500 of whom were scattered in garrisons. Martial law was proclaimed for thirty-one days, under a local Act which was misunderstood to prescribe instead of to limit the term of such a proclamation. All the Colonies have since been called upon to repeal every statute, which may have anywhere existed, authorizing martial law; which should rather be treated as an occasional necessity outside law, to be afterwards indemnified, than a standing prescription of law.

At this time it was that the Governor, Mr. Eyre, submitted to the Legislature, and both Chambers unanimously adopted, a plan for surrendering the Jamaica constitution, and placing the government in the hands of the Crown. An Imperial Act, in April, 1866, confirmed two local Acts, which, with a subsequent Order in Council, in June, established a Legislative Council of official and unofficial Crown Nominees, and a Privy Council whose advice the Governor is expressly instructed that he may adopt or not as he pleases.

Royal Commissioners were sent out while these changes were being effected, to report on the circumstances of the insurrection and its suppression; and their report affirmed the gravity of the rebellion, and praised the Governor for the promptitude and vigour with which he at first put it down, but condemned the prolongation of martial law and the excesses and barbarities which took place in the process of punishment. Governor Eyre was recalled, and has ever since been the subject of prosecution by a private committee in England, but without effect. The object of the prosecutors has been to obtain a decision of what is law in cases where law fails, and where the officer in command, in the paralysis of law, has to exercise his own discretion *ne quid detrimenti respublica capiat*; and, very naturally, all they have obtained is an elaborate conflict of opinions, with successive abortions of legal proceedings. Exaggerated expressions

have been used both by those who have made themselves special mouth-pieces of a common condemnation of the horrible excesses committed in suppressing the insurrection; and by those, on the other hand, who indignantly vindicate from injustice an honourable Officer who had a difficult task to perform, and certainly failed no further than in sufficient control, while all around him was savage passion and inveterate animosity, and who in long service had proved himself as humane, as able and courageous. The mixed feelings of hatred, contempt, and yet dread, long entertained by the whites towards the negroes account for, though they in no degree excuse, the atrocities which the Governor failed to repress, but which I fear were fully equalled during the mutiny in India.

It remains for us now to consider what the new Crown Government has already done in the way of reform. Its union of the strength of localized government with that of the purest autocratic form, is justified, for the present at least, by the circumstances of the island.

The first reform introduced by the new Governor, Sir J. P. Grant, was the establishment of District Courts, with civil and criminal jurisdiction, somewhat like the *Small Causes* Courts in India, in substitution for those of the Stipendiaries, who, in conjunction with an unpaid magistracy set up when slavery was abolished, had failed to bring justice easily or efficiently within reach of all classes.

Justices of the Peace were ill-suited referees for appeals from the judgments of their associates, being also the employers and overseers of the great mass of the people; and the Judges of the new courts will at all events be unconnected with the causes which they have to try. The petty-sessional jurisdiction which so failed in Jamaica, has succeeded in Mauritius under the French law It proved inoperative in an English system, so specially circumstanced, by reason of the carelessness of the unpaid magistracy. Criminal cases were ill dealt with; and while suits for small debts exceeding only 10*l.* had to be filed in the higher courts of Spanish-Town, the great mass of civil cases were practically unprovided for. Barristers, and Writers to the Signet, have been now sent out to take the new judgeships, at salaries of 1000*l.* All officers are to be paid by salaries, and fees are to go to the treasury: the common-law jurisdiction is made to extend to matters of 50*l.*, and that of equity to 200*l.*, and fines in criminal cases are never to exceed 50*l.*, with the alternative of one year's imprisonment. The District Courts have since been invested with jurisdiction in insolvency, by which the Supreme Court will be so much relieved as to be capable of reduction.

Sir J. Grant meanwhile has done his utmost to revive immigration, which from 1847 to 1860 had almost ceased, and which was really the main remedy for all his difficulties. Coolies have been

brought more regularly from Calcutta, encouraged by the excellent agency of Mr. Anderson, and have been better provided for on their arrival in Jamaica, where the planters have been called on to establish hospitals and dispensaries, and to furnish medicines for the sick amongst the labourers on every estate. An Act has been passed entrusting Boards of Health with stringent powers throughout the island. An attempt has been made to regulate on fairer terms the rate of work and wages under indentures, and the providing of rations by employers at a fixed tariff. Even the customary Saturday holiday has been made matter of law. The Coolies on some estates have been ill-treated, the report of which ill-treatment no doubt has checked this most desirable supply of regular labour, the best possible substitute for the former service, and corrective of the precarious system of negro-squatting.

There have been repeated cases of proprietors attempting to resume, from squatting negroes, their own abandoned estates, and disputes leading to violence, which Sir John Grant, with tact, though with very inadequately supplied power, has succeeded in amicably settling. The first necessity is an improved police force, which he has promptly set on foot, basing his organization on the old parish system, which corresponds in size of areas rather with our county divisions. He has also substituted a militia for the almost extinct volunteers, and

we have left a store of rifles for their use on loan. He has thus renewed a feeling of confidence in the blacks, and in the Reports of the year 1867 (presented 1869), it is stated that the organization of a popular service has been productive of economy as well as efficiency, and that the improved state of the country has made it unnecessary to raise the force to the full strength authorized.

The sale of encumbered estates has progressed. Colonel Mann's Report states that of 2,724,262 surveyed acres, only 40,000 are unpatented, being mostly difficult of access in far rocky districts, and 3000 are in Government use. The rest is all held on quit-rents, of one penny per acre, which, however, for nearly a million acres are in long arrears, and will probably incur forfeiture of the land to the Crown, and only 560,000 acres are under cultivation, leaving above a million held, and paid for, but not improved.

The negroes are eager to become small planters, wherever they have squatted on forsaken land. Absentee proprietors have in many cases allowed their estates to be cut up, and have invited squatters, as the best chance of getting any sort of fixed labour. Others, who have let their land to a negro tenantry, have been baffled by the expense and difficulty of collecting rents, and the practical impossibility of evicting defaulters. Much land has thus been taken up without, or with bad, titles.

This evil Sir John Grant proposes to meet by a law for granting titles to squatters after seven years' possession, in conjunction with a law for forfeiting, after ample notice, estates on which quit-rents have not been paid for a certain number of years. A certainty of title is one of the most essential objects for him to aim at. Uncertainty of title, and insecurity of land tenure, were at the bottom of the causes of the late insurrection, which actually broke out upon a case of eviction.

The leasing of land to negroes was almost forced on proprietors in the anti-slavery furor, and it seems hard to make them now lose their land because the tenants won't pay. Lord Carnarvon proposed a land settlement commission, which proposal was dropped from fear of unremunerative expense. It has been suggested, in disposing of forfeited lands, to offer blocks of 300 acres for tenure on new quit-rents, or for sale outright—in either case, it may be hoped, re-instating *bonâ fide* landholders, and furnishing a fund for more immigration. This, however, is only the subject of a scheme in preparation by the Government Surveyor.

If some reasonable and solid settlement of the land question could be brought about, the advance of prosperity would probably soon astonish all.

The local Acts for provision of clergy in Jamaica being about to expire, Sir John Grant has seized the opportunity for lightening and better regulating that branch of public expenditure. We

recently relieved ourselves of a charge for West Indian clergy, which, when first undertaken in the interest of negro civilization, was intended to be recouped out of the 4½ per cent. colonial customs reserved for local purposes, but which had gradually, and in 1838 entirely, fallen upon our Consolidated Fund. There were enemies of all Church endowment in the House of Commons, who most unreasonably desired to take this opportunity for compelling the Colonies to desist from making public grants out of their own revenues for religious services. But in Jamaica the Baptists alone, finding their own offerings falling off, wished for a level voluntary field by total religious disendowment, and it was not for the Imperial Parliament to force local disendowment on an unwilling Legislature. The amount annually appropriated in Jamaica for the Church was certainly excessive, and no doubt the establishment in all the British West Indies may be wisely curtailed, at least as to its higher offices, though it may be well strengthened in its lower and most beneficent ministrations among the poor. On this subject I will make more general remarks by-and-by.

Reduction, re-distribution, and re-adaptation of the religious grants generally were the objects in Sir John Grant's view desirable pending the expiry of the Clergy Acts in 1869, and all this reform he planned in consultation with the Bishop of Kingston and with the organs of the various religious bodies, while

official vacancies meanwhile occurring are left open for consideration. Many of the ordinary expenses connected with religious worship have been thrown at once on the congregations. Invalided clergy have been pensioned off; and here I may incidentally mention that a general pension system has been introduced on the English model, on the scale of our Superannuation Act.

Sir John Grant has reorganized the whole financial department, introducing a system of accounts as laid down by Treasury instructions, and offering a salary of 1000*l.* a-year for a Government Auditor.

The education grants have been increased; and the department revised, put on a more regular system, and required to render reports of itself in the annual public accounts.

Prison discipline has not escaped the careful attention of this energetic reformer, under whose auspices no less than forty-five Acts, including many of importance, were passed during the year 1867.

The only assistance the mother-country is making to all these present improvements in Jamaica is a loan from the Admiralty, who, under the provisions of the Colonial Docks Act, have offered such aid to the Kingston floating dock.

Foreign enterprise has fixed upon this island as an *entrepôt* for telegraphic communication, and

I believe the International Ocean Telegraph Company of New York have been allowed to land their cables on its shores.

The Blue Book for 1866 (presented in 1868), showed a deficit of revenue, exclusive of loans, amounting to 68,000*l.*, the expenditure having been 395,000*l.*, out of which 33,000*l.* were in payment of expenses arising out of the disturbances of 1865. There is a debenture debt of 900,000*l.*, two-thirds of which is guaranteed by Great Britain, the rest having grown up from the Assembly's habit of recklessly starting public works on payment by loans. It was estimated for the next ensuing year that increased taxes would be required to provide for a considerable further deficit. Bankruptcies were yet occurring, and trade remained unhealthy, but Sir J. Grant confidently reported progress, and affirmed that perfect tranquillity prevailed, and that a better feeling between classes existed. The crops were reported to be above an average; but the production even of the cultivated part of the island was said to be lamentably below its capability, and inferior relatively to that of other West Indian islands. In every respect the condition of the whole island was said to be a generation behind that of the mother-country.

To redress the deficiency of the revenue, Sir John Grant has extended the house-tax to houses previously exempted, reimposed the land regis-

tration tax of one penny per acre in addition to the existing perpetual land tax, increased the rum excise duty, and imposed a trade licence which raised at first much opposition. The produce of these taxes, excepting the rum duty, has exceeded the estimates, and the house tax, appropriated to poor relief, has been cheerfully paid. The land registration tax has been replaced by a graduated property tax according to the nature of the land, and additional import duties have been imposed for a limited period.

A Memorial, dated September, 1867, came from the districts of St. Ann and Trelawny, full of complaints against the proposed reforms. It was said that judges removable by the governor should not be entrusted to try civil suits about property up to 50*l.*, or decide without jury even in the smallest criminal cases. The fresh taxes on shops, houses, and rum seemed unnecessary inflictions merely to supply means for such innovations. Reduction of expenditure was demanded instead, which indeed Sir J. Grant was simultaneously undertaking; nor have any of his new establishments on the whole been productive of increased expenditure, but, in every case, have proved ultimately economical.

The Governor's prescription was, however, little modified by any opposition, except in the principle of graduation which he consented to introduce into the scale of taxation. At the same time that taxa-

tion has been increased, public expenditure, which certainly was excessive, has been boldly reduced; but declining trade, loaded with a debt of nearly a million, at first offered no materials for balancing revenue and expenditure, and the general paralysis of island enterprise left no starting-point for fresh development. In vain, at first, were instituted reductions of a tenth of salaries, retrenchment of public charges on works and roads, amalgamation and abolition of offices, and economy in ecclesiastical expenditure. The difficulty is great to float accounts on unbuoyant commerce, however they may be cleared of needless encumbrance.

The new direct taxes and increased excise bear chiefly on the shopkeepers, landowners, and planters, but the principal revenue is from impo. duties, which bear fairly and proportionately on all consumers; so that the Governor is justified in now pressing somewhat specially on the richer class while he retains this broader and more equal basis for his main revenue. Deficiency nevertheless, continued to augment itself during the year 1867, while imports were still declining, and in consequence of a large quantity of rum having been taken out of bond in anticipation of the increased duty.

Steady perseverance in the plan at length, however, met with signal success. In 1868, the imports and rum excise recovered, and much further increase is expected this year, and the

effects of retrenchment have enabled the Governor to recommence road making and public works, and to add 60 per cent. to the education grant.

The Reports of 1867 (presented 1869) show that the new administration and financial measures have been satisfactorily acquiesced in.

I may here observe that an Act of Parliament has been passed this year (1869), under which the guaranteed loans may, with the consent of the holders, and without diminishing their security or adding to the risk incurred by this country, be placed on a new footing, which will sensibly lighten the pressure of the debt on the Colony.

The approach to financial equilibrium is creditable to the firmness and sagacity of the Governor, and a proof that autocratic government has been wisely adopted in Jamaica, at least for the time. It appears that the great American war led to sugar speculation being maintained on lands which protection had brought into premature cultivation, and which must still wait for a greater influx of capital and population to make ordinarily profitable. The present cost of sugar production in many parts of the island where it is attempted exceeds the price to be anywhere obtained for the product.

The effects of unwise Imperial policy are not yet obliterated; but when the baneful influence of artificial and erroneous systems, both on trade

itself, and on the minds of those trained to trust in them, has worn away, and the energy of Englishmen in Jamaica is applied to the natural conditions of commerce, there can be little doubt that the great and special capabilities of the Island will attract the necessary influx of labourers no longer impeded by our restrictions, and command a reliable profit in the market of the world.

TURK'S, AND CAICOS ISLANDS.

Of Turk's Islands and the adjacent Cays I have nothing to say, but that they were separated from the Bahamas Government by a local Act following upon Orders in Council in the year 1848.

Their affairs are now administered by a President and Executive Council, under the Governor of Jamaica. The Legislative Council consists of eight members, four of whom are nominated, and four elected, the President having the casting vote. All adult taxpayers who can read and write English are on the electoral register, now numbering 290, out of a population of 4372. The expenditure of this sub-government, though not exceeding the rate of 2*l.* 10*s.* per head on the population, is barely covered by a revenue derived from customs, and miscellaneous sources of which lighthouse dues are the chief, besides the royalties on salt, amounting to 3000*l.* a-year, which the Crown gives up wholly to local expenditure. The staff

of government includes a great number of petty, ill-paid officers, but on vacancies occurring some offices are being amalgamated.

A destructive hurricane, in September, 1866, swept away many public works, roads, and buildings, which had been just completed, and which the little Colony has creditably commenced repairing. Large contributions were sent from Great Britain, and from the sister islands, to help the sufferers to retrieve their losses from this tremendous visitation which, unhappily, spread over all the central West Indies.

The population is said to have been greatly demoralized by an influx of refugees from St. Domingo and Haiti during the recent years of disturbance there, but the last report of President Moir as to general and progressive improvement may be considered satisfactory, although the improving revenue has since somewhat diminished.

Salt is one of the principal products of the island, and fresh water may be said to be one of its principal wants.

HONDURAS.

The affairs of British Honduras are administered by a Lieutenant-Governor and Executive Council, under the Governor of Jamaica. The Legislative Council consists of twenty-one members, who, until 1853, were all appointed by the

Crown, but eighteen of whom, by an Act of that date, are now elected by constituencies qualified by property or occupancy of 7*l.* annual value, or a salary of 100*l.*; being themselves qualified by property of 100*l.* annual value. There are only 250 registered electors out of a population of 25,635. It is found difficult to keep up the quorum of eleven members for legislation, and even to supply vacancies in the representation. There is but one electoral district, co-extensive with the settlement, and practically the political area has hitherto been confined to Belize. The development of other industries besides that of wood-cutting, and the multiplication of centres of population, may some day afford a broader basis for the Legislature.

This strip of the eastern shore of Central America, lying between the parallels 16° and 18° N. lat., and 88° and 89° W. lon., bounded on its north side by the river Hondo and Mexican Yucatan, and on other sides by Guatemala, has been till lately valuable as a forest of mahogany, but the exportation of timber is stagnant, if not declining, whilst the growth of agricultural products, sugar especially, is sensibly increasing. Settlers, cultivating sugar, tobacco, rice, maize, and even cotton, are beginning to divide local interests with the old merchants of Belize.

The English first acquired a footing in this quarter by treaty with Spain in 1670. By the

treaties of 1783-6 Spain acknowledged a limited sovereignty in Great Britain, but the boundaries were left very indefinite. Renewed Spanish invasion, successfully repulsed in 1798, is considered to have obliterated the conditions of those treaties, and to have left the territory in the hands of the British Crown by right of conquest; nor have the succeeding American republics ever been allowed to exercise the old Spanish rights. The Clayton-Bulwer treaty of 1850 expressly recognized this British settlement.

Indian warfare has been the bane of this Colony. On the Mexican side of the Hondo the Santa Cruz Indians, whose territory is conterminous with ours from the mouth of that river for a considerable part of its course, live practically in a state of independence, and seek the extermination of the Spanish Mexicans and the extinction of Europeans altogether from Yucatan. The Ycaiches, on the contrary, pretending allegiance to Mexico, are constantly disputing, under their Chief Canul, the boundaries of the two countries, demanding rent for lands which our colonists claim. In 1867 an invasion by those Mexican Indians led to a total desertion of our western district, and was only repelled by the prompt aid brought by Sir John Grant himself from Jamaica. Both tribes depend on our Colony, to some extent, for supplies; and our various relations with the Mexican Government, which one tribe

rebels against, and the other owns allegiance to, while hostile to us, have involved the Government in much perplexity.

The marking out and survey of our western frontier, authorized by a convention of 1859 with Guatemala, has been begun, but has been found hitherto too costly a process to carry out, while the northern boundary line joining it to the Hondo was not up to 1867 even theoretically determined. At the north-western corner of the settlement a pretext was thus afforded to the Ycaiches to violate our territory in a quarter where there is no settled civilized power for us to treat with, and where our old-established merchants assumed a monopoly of interest and a lien on our protection. We have at length taken the completion of the northern boundary into our own hands, fixing the completing line somewhat within what we claim. Our avowed determination to abide by this line, coupled with the firm but conciliatory attitude taken by Lieut.-Governor Longden on all occasions, has brought about for the present pacific relations along the whole frontier.

The garrison of Honduras used to consist of three companies of infantry, and a few artillerymen. The colonists were called upon to take part in their defence, either by placing on their rivers, at the joint expense of the Colony and Mother-country, one or more armed transports of light draught, or by contributing to the maintenance of

every soldier in excess of one company. The former proposition proved of doubtful practicability, and the Assembly declined the latter. The garrison, therefore, has been ordered for reduction to one company, but the colonists have established an armed, and partly mounted, "Frontier Police Force," which, though its present strength does not exceed twenty, may be the nucleus of a sufficient force.

The Imperial Government is now insisting on a speedier reduction of their garrison and development of local police; but the Lieutenant-Governor pleads the state of disturbance, aggravated by the excitement during Maximilian's brief empire, as a reason for our continuing a little longer a garrison of three companies, while the local frontier police, under a captain of the British service, are acquiring competency to undertake the peace of the Colony. The Imperial Government then stipulate, in consideration of the retained garrison, that the Colony should maintain always a river gunboat, and entirely demur to the merchants' demands of permanent protection, and even of compensation for their losses by raids which we have failed to ward off. Mexico, indeed, remains an awkward neighbour, by reason of its hopelessly unsettled and impracticable government.

During the subsistence of the Spanish treaties, and even down to 1817, land was occupied by British settlers under wood-cutting licences only.

Tracts so taken up were called "locations." From 1817 to 1839 waste land was disposed of by "grant," but to what extent and on what conditions is not recorded. Titles thus given were quietly accepted as freehold, but in the absence of a general survey claims were rudely defined and sometimes clashed. By far the greater portion of the land came in this way into the hands of private individuals, and was suffered to pass unchallenged from one to another by descent, testament, or sale. Titles founded on "locations" afterwards received legislative recognition, and more recently a law was passed which enabled individuals by registering their claims to acquire "*primâ facie* titles," and after a short period to establish them against all comers except the Crown. Since 1839 Crown land has been nominally disposed of at an upset price of 1*l.* an acre, but little or no land has been sold. In 1866 this price was reduced from 1*l.* to 10*s.* But even this price puts the Colony at a disadvantage in competing with the United States, where land may be obtained ready surveyed for one dollar and a quarter an acre. As yet the Colony has not been surveyed. The Crown has the exclusive control of waste land, and derives from this source a revenue of about 600*l.* a-year. In 1868 a petition came from the Colony for the management of Crown land, with the revenue derived from it, by the Colonial Government. The Duke of Buckingham agreed to entertain any

well-considered scheme of transfer. Amongst the proposed conditions were reserves of land for natives, and an annuity of 400*l.* to the Crown for contingent expenses of government. The objects in view included a general survey and a further reduction of the price of land, so as to place the Colony on a better footing for competition with neighbouring countries.

The revenue is, by the last accounts, gradually balancing the expenditure; and the public debt, after all, scarcely exceeds a year's income, or about 32,000*l.*, exhibiting an enviable condition of solvency to an English statesman's eyes.

The expenses incurred by this country in the defence of Honduras against the Mexican Indians in 1867 are being gradually repaid.

Out of a population of 25,000, the reports of last year state that there are only sixteen in-door and forty-three out-door recipients of pauper relief, a state of things scarcely justifying any charge on the English taxpayer for the support of so thriving a Colony.

The revenue rose from 35,725*l.* in 1867, to 42,416*l.* in 1868. Half this increase was produced by a tax on houses and land, borne by the richer class. Import duties, paid by the general consumer, have since been reduced.

The Colony in its soil and climate offers abundant facilities for the growth of sugar. The great desiderata are capital and labour. In 1868 an

Act was passed to promote the immigration of labourers. Three years ago a large immigration, including agriculturists with capital, from the United States was looked for, and some immigration has taken place from that quarter, although not to the extent which was expected. The principal settlement of the new comers is at Toledo in the south.

The question of altering the constitution was three years ago raised in the Assembly, but has not been followed up. The Colony is rapidly changing its character. It remains to be seen whether the development and spread of agriculture, and influx of new population will not be such as to give fuller scope, and fresh action to the existing constitution.

A grant of 1000*l.* for education is, under a law passed in 1868, equitably administered on the principle of payment according to attendance, without regard to religious denomination. A grant of 1600*l.* for public worship is monopolized by a comparatively few Anglicans and Presbyterians, but the Legislature is now proposing a more general distribution.

By new postal arrangements despatches may pass to and fro direct between this country and Honduras; instead of, as heretofore, only through Jamaica.

BAHAMAS.

The Bahamas, early abused as a rendezvous for pirates and buccaneers, recently suffered from their local attractiveness to blockade-runners during the American civil war. Their trade, like their neighbouring seas under the influence of a submarine volcano, underwent the violent alternation of a sudden inflation, followed by collapse; and the spirit of gambling which gets abroad in such disordered times still haunts the place for its ruin. Between 1861 and 1864 the year's revenue rose from 40,000*l.* to 106,000*l.*, and the imports from 270,000*l.* to 5,340,000*l.*; the public debt was 43,000*l.* in 1862, and was cleared off in 1865; but in 1868 the revenue had relapsed to 40,000*l.*, and the imports to 230,000*l.*, and the debt had sprung up again to the unprecedented amount of 51,000*l.*

This group of twenty inhabited islands, besides numerous islets on the great Bahamas bank which fringes the Florida extremity of the States, have been comprised under one representative Government for more than a century; but the Assembly, which meets at Nassau, in New Providence, does not fairly represent all the out-islands. The Turk's and Caicos islands were transferred to the Jamaica Government in 1848. To San Salvador attaches the great interest of its being the first land discovered by Columbus in the Western world. All the group, stretching from Florida to St. Domingo,

has been in the hands of Spain or England, or of buccaneers, ever since, and became finally ours at the Peace of Versailles, in 1783.

It appears that considerable constitutional changes are required in this Government. The fact that some official men and legislators are said to be more or less interested or engaged in systematic wrecking shows a state of things utterly unsound. The whole condition of the Colony has changed since its representative constitution was first given. There is not the same class of merchants for its resident landed proprietors which then existed. The present petty land-owners are reported to have reduced the land to a state of shameful neglect. The revenue is deficient. The Assembly is a narrow circle of family relations. The constituencies, consisting of all male inhabitants of full age being freeholders, or householders having resided twelve months, are merely tools of various ministers of religion, who exercise the chief influence over the whole population, and keep up perpetual strife between the Church, the Kirk, and the Chapel.

Within the last two years there has been a great agitation for the separation of the Church from the State, raised by demands coming on a falling revenue for restoring churches and chapels destroyed by a hurricane. A dissolution and an election took place early in 1868 on this question of disendowment, and the sequel has been a pro-

spective general disendowment Act, irrespective of creed.

The old Assembly had passed a resolution to throw the support of church-fabrics on the congregations; to disendow benefices; to annihilate the parochial system; and to deal similarly with the Kirk. The Legislative Council had rejected the proposal; but, after the election, they gave way. A "Temporalities Regulation Bill" had been attempted in vain by the Government, who were sincerely desirous to carry out an ecclesiastical retrenchment. The establishment was certainly excessive for the amount of population, which altogether numbers little more than 35,000. The question of repealing the Church Constitution Acts of 1806 and 1820 was a fair one for local discussion; and remarkably parallel with our own Irish Church agitation at home. There was the same desire on the part of a large body to substitute the voluntary principle for that of establishment in all religious matters. But this agitation, turning upon a question of rebuilding public churches destroyed by hurricane, bore a character of repudiation of existing legal obligations, if not of all religious obligations, which certainly ours did not.

Resolutions were passed at the same time by the Assembly to retrench all fixed expenditure, such as salaries of police, and superannuation pensions, without even saving existing claims; but the Legislative Council upheld the faith and

credit of the Government by rejecting all such resolutions.

Retrenchment of the salary of the Governor was agreed upon by both Chambers. This way of reducing the deficit of their revenue, which in 1867 little exceeded half their expenditure, they all approved, and they proposed quartering their Governor wholly upon us; but on our threat of withdrawing the 1200*l.* with which we subsidize their contribution of 800*l.* to his salary, this little scheme of economy vanished.

With representative colonial legislatures, of course, the Crown can only cautiously interfere in financial matters. The Governor in this case has managed, with a very limited issue of Government paper, and a consolidation of offices, to substitute for wild schemes of repudiation, a solid reduction of salaries and expenditure.

The question of an outlay on new defences of Nassau has very properly disappeared from the discussion of the Legislature. The cost of sufficient works to secure the island from mere piratical attack, was estimated by Major Cumberland, R.E., in 1865, at 6500*l.*, the garrison being then five hundred black troops and twelve artillerymen. The works, already begun, were stopped in 1866 by Governor Rawson's orders, in consequence of the hurricane losses. Even if the Colony were solvent and flourishing, it is a very disputable point whether such expenditure would be wise.

The Colony, however, must certainly first be made to maintain what is indisputably necessary—its own police, and that in a state of efficiency—before it attempts works of doubtful utility; nor can it be allowed to decline its share of recruiting for the West India Regiments, when called upon. Our interest is to get the Colony in such a state of good order, and capacity of self-defence, as to avoid both the risks of embroilment with neighbours, and the liability to have the consequences of disturbance thrown upon ourselves.

Salt is produced in Inagua, and some of these islands were formerly cotton-fields, and, if the Americans possessed them, it is not impossible that more important trade might employ a population now engaged only in getting sponges and turtles when not wrecking.

The Assembly have petitioned the Crown to relinquish its lands, and a casual revenue of fines, and the salt-ponds, to their disposal. The lands which before 1802 were granted on quit-rents of 2*s.* per 100 acres, and after 1802 of 1*d.* per acre, have since 1834 been sold by auction at an upset price varied from time to time. Owing to neglect of issuing titles, and of collecting purchase-money, the tenure of land fell into confusion, but measures have been taken to cure past negligence, and to prevent it in future. Lately, lots have been surveyed and granted out, and an office of inspectors has been established to prevent squatting. The salt-

ponds used to be freely distributed amongst the inhabitants; but in 1840, after slavery was abolished, one-third of them were leased, in 1851 all gratuitous tenure ceased, and in 1858 half of the leaseholds were converted into freeholds. The remaining lessees are in arrears with their rents. They have now been offered, in lieu of their rent of 30*s.* per acre, the substitution of a royalty of ¼*d.* per bushel of exported salt, security being first given for payment of arrears. This may prove a considerable relief in bad seasons. Possibly, if the initiation of money votes were secured to the Executive, and more effective administration provided, the whole revenue might be safely surrendered to the Assembly. It is, however, a necessary preliminary that the Assembly itself should be reformed, and the representative principle, if it can be sustained at all, made more equal, and free from present influences.

An independent Wreck Court seems absolutely necessary, at which H.M. officers on that naval station might assist the judges; and this was actually under discussion when the late Government left office, and might render the naval station still worth maintaining, if only for the suppression of colonial wrecking.

The great hurricane of 1866 swept these islands just as they were rallying from the effects of two years' exhaustion by an epidemic fever, and by the sudden cessation of the vicious stimulus of the war. The Government had been making great

efforts to divert the Colony from the gambling tendency of the recent war times, and to turn speculation to the cultivation of cotton, and of various products for which the place was specially favourable. This unfortunate visitation checked all such reformation.

A general deficiency of revenue followed, and public works have been suspended. The town of Nassau, however, presents redeeming features of vigour in restoration from destruction; and it may be hoped that after the first repulse a spirit of renovation and improvement may be induced by wise reforms; and just as moral injury has been inflicted by false and vicious prosperity, so a new energy and virtue may spring out of providential misfortune.

After the hurricane came a drought, neutralizing efforts for renewed production. The natural products of pines and oranges were reduced one-half; the exports were not a fifth of those of the year preceding the hurricane. The sea, stirred from its foundations, failed of its usual sward of sponge. Salt alone increased in quantity, but that was important. Public debt has risen to an unprecedented amount, and revenue fallen further in arrear of expenditure. Mr. Johnstone, who, with the sanction of the Duke of Buckingham, was employed to report on the capability of these islands of greater production, reports only exhaustion, and decadence from greater previous value.

LEEWARD ISLANDS.

VIRGIN ISLANDS.

Taking next the Leeward group, which was placed, by Royal Commission in 1832, under the orders in chief of Antigua, the Virgin Islands come first in our line of review—a cluster of fifty rocks, so named by Columbus in honour of all the virgins in the Romish calendar, but having come more like Vulcan than Venus out of the fiery Caribbean Sea. The chief island belonging to Great Britain is Tortola. The United States, in search of naval stations all over the world, have recently negotiated for, but not completed, the purchase of three which belong to Denmark; namely, St. Thomas, St. John, and St. Croix; and Spain claims the islets round Porto Rico, except Crab Island and Culebra, in the "passage," which are ours, but unoccupied. Our islands were first colonized by the Dutch in 1648, and were annexed to the Leeward Islands by Charles II., and peopled from Anguilla.

The first Representative Assembly was granted, at the petition of the inhabitants, on condition of a civil list being permanently provided for out of the 4½ per cent. export duty already mentioned. But this tax, imposed by imperial stipulation for local services in all the British West Indies, was remitted after emancipation.

In 1867, the constitution, which had received the last of many amendments in 1859, was totally surrendered by a local Ordinance, and the Colony placed itself under Crown government with a

single Chamber of Legislature, consisting of three official and three unofficial members, all nominated by the Governor, who has himself both a casting and a deliberative vote. It was high time for this change, as the old Legislature could not be got to agree to any of the ordinary expenses of government, or to the most obviously necessary taxation.

In the autumn of 1867 a statement appeared in our newspapers that Tortola had been submerged, and that all its inhabitants had perished: and, indeed, when the dreadful truth of devastation by a hurricane and submarine convulsion came out, it proved to be practically little short, except as to loss of life, of the first rumour. Sir Arthur Rumbold, the Governor, has just died from the shock he then received at the sight of ruin and misery around him, under the horror of which Lady Rumbold sank at the time. Relief and restoration have been the sole work of government ever since, to which magnificent contributions were voted by the Legislature of Antigua, and privately subscribed in England. Perhaps the charitable relief of Tortola was even overdone, especially as the devastations by hurricane at St. Thomas's raised such a demand for labour in that more vigorous island as to place any amount of wages within reach of those who were thrown out of the little employment they ever had at Tortola.

The last yearly Report from Tortola, dated November 6, 1868, describes the general confusion of affairs still caused by this destruction.

The above-mentioned Crown Constitution Ordinance of 1867, however, to quote the Report, "had "put an end to electioneering feuds, and to the "election, by irresponsible persons, of legislators "utterly ignorant of their duties, alike to their con- "stituents and to the Government, entirely biassed "in their work by private feelings." The failure of government must have been complete before such a Legislature could have felt compelled to put an end to itself.

Another reform of 1867 was the Jury Ordinance, which reduced the number of jurors to six in criminal cases, and abolished juries in civil cases. It has, however, been since provided that, as at St. Kitts, either the plaintiff or defendant may demand a jury. The negroes are certainly unfit for jurors, especially in civil cases. Mr. Stuart Mill's test of valid laws, that they must commend themselves to the common sense of juries, would not hold where that sense is so wholly wanting. In decisions, however, of matters of fact merely, it may be useful, even under such circumstances, to interpose any sort of jury to relieve a judge from pressure, where small judicial emoluments cannot always secure independent judges. The inferiority of the administration of justice has led to recommendations to forego the severer kinds of punishments, however needful; so true is it that such small societies are fertile of evils which they are untrustworthy to correct.

With a population of about 6000, a revenue of 2000*l.*, and a trade valued at 8000*l.* a-year, this subaltern Presidency resembles rather a small Irish estate crowded with pauper tenantry, than a province of Empire. The Report sent in 1866 states the previous year's expenditure on account of what is called a militia to have amounted to 36*l.* 12*s.* 1½*d.*—chiefly the pay, and surely a poor one, of a drummer and fifer, and for care of the arms. The sum of 46*l.* 13*s.* 10*d.* was expended during the same year (1865) in public works; but, "by the great liberality of Her "Majesty's Government," 607*l.* 19*s.* 7*d.* was provided from the Crown rents of the neighbouring Isle of Sombrero for the building of a court-house.

Our steam-packet station at St. Thomas, one of the islands now under treaty for sale by Denmark to the United States, generally gives a few weeks' employment to our population, who return to their homes for the rest of the year to spend their earnings in idleness. Public education is restricted to children between the ages of five and twelve, in order to turn out the young as soon as possible to work; but the rising generation are reported to be only less inclined to industry than their predecessors, while nine per cent. of the whole revenue is spent in relief of poor.

The cultivation of sugar is almost abandoned, and cotton cultivation is only attempted in scattered spots.

During the year 1868 the revenue was reported to be diminishing and expenditure increasing, in consequence of collapsing industry, and heavy losses occasioned by cholera and other epidemics raging around. Only 32*l.* was that year expended on public works, and the court-house, begun by Her Majesty's liberal grant of the last year's rents from Sombrero, remained unfinished. Mr. Cardwell had offered to annex Sombrero—which a phosphate company are now renting, and where guano has been found—to the Virgin Islands altogether, if they would only maintain the lighthouse on its shore, which the Board of Trade superintend from St. Kitts; but they refused the offer unless made freely, upon which the islet, though not without dispute, has been joined to the government of St. Kitts.

Altogether, the state of this Colony is not creditable to our past or present colonial system, and presses strongly on our attention the necessity of grouping government on a larger scale.

In spite of unhealthiness, recent devastation, and its impending acquisition by the United States, the island of St. Thomas is still retained as our packet-station; but this may arise only from a temporary suspension of plans, owing to the recent stoppage of the Panama line of steamers, and the expectation of great changes coming from the new postal and telegraphic communications which are in process of establishment.

NEVIS.

The Island of Nevis constitutes now a joint Lieutenant-Governorship with St. Kitts.

Its population numbers 10,000, down to which amount emigration, balancing natural increase and some Portuguese immigration, has kept it for some years.

Its extent is about 50 square miles, its revenue varies between 6000*l.* and 7000*l.*, its yearly exports scarcely rise above 30,000*l.* in value, and its public debt a little exceeds half-a-year's revenue.

Here, as elsewhere, the representative form of constitution has proved impracticable, owing to the large proportion of the population of the negro race. Nothing but a much larger aggregation of the white or mixed race—by the union of these little governments—can furnish materials for the practical working of an electoral system, in which the great mass of negroes might safely play their inferior part.

The political franchise in Nevis had in itself an additional element of failure, in being confined, even among the whites, to a number of petty freeholders of fragments of land, while leaseholders of hundreds of acres were excluded.

In 1866 a local Act "to amend and simplify "the Legislature" combined the old Council with the elected Assembly in a single Chamber, where two *ex-officio* members—the Colonial Secretary and

Solicitor-General—and three nominated members, balance five elected members, and the Lieutenant-Governor has the casting vote, who reported in 1868 that the change had been already fruitful of much good.

The sugar cultivation in Nevis has been lately improved, both by better drainage of the land, and better machinery for the preparation of the cane; but the cotton cultivation, which the American war occasioned, has since the peace declined.

No military expenditure appears directly in this island's accounts. Ecclesiastical property has been taken over by the public body, and all the costs of buildings, repairs, furniture, and expenses for the ordinances of the church are charged on the revenue.

Not a shilling of taxes is spent on national education, which is provided for only by a few Church and Wesleyan private schools.

When this island was put by Mr. Cardwell, in 1865, under one Lieutenant-Governor with St. Kitts, its legislature and administrative establishment were left intact, and unconsolidated with those of the other island.

ST. KITTS AND ANGUILLA

make up the entire subaltern command with Nevis.

These two islands together contain a population, chiefly negro, of 26,000. In the single year

1854, St. Kitts was stript of one-sixth of its inhabitants by cholera. A great amount of infant mortality, caused by neglect, habitually keeps down the natural increase of this island's numbers, and the births are more than half illegitimate.

The exports are valued at 190,000*l.*, and the revenue is at the rate of 1*l.* per head of the population, the contribution of Anguilla being raised by a duty of five cents on every exported barrel of salt. As in all the West Indies, the vicissitudes of agriculture are such as to make the revenue, chiefly depending on it, very variable. In 1864–65 that of St. Kitts was reduced 30 per cent. by a drought. The principal items of expenditure are a vast number of little official salaries.

The clergy are paid out of the public funds, parochial vestries having been abolished, and the benefices consolidated in 1856. There is now no local taxation, even the municipal establishment of Basseterre, constituted in 1861, being charged on the general revenue.

The militia is reported to be improving. Owners of large estates furnish troopers for the cavalry, for which service part of their taxes are remitted to them. The old military buildings of all sorts have been assumed by the Colony as their property, and partially dismantled; some clumsy old forts being left for Her Majesty to use, if she pleases.

Immigration, for which there is a special export duty appropriated, is principally of Portuguese

from Madeira, and of Africans liberated by the Commission Courts. A few Coolies come, but generally pass on as soon as they can to Trinidad and Guiana.

Of the 42,000 acres in St. Kitts, 18,000 are under sugar cultivation, and the other 24,000, except the places built upon, are pasture or mountain, and uncultivated. This sole cultivation of sugar is better conducted than its manufacture. No speculation in cotton, since the peace, has thriven. The planters complain of the indolence of their labourers, but the reports of the magistrates' courts show that few actual disputes arise between them.

In 1866 an Act "to amend and simplify the constitution" was passed by the Legislature, which until then consisted of a Council of eight appointed by the Lieutenant-Governor, and an Assembly of twenty-eight elected by the various parishes. A single Chamber was substituted of twenty members, three of whom were the chief officials, seven nominated by the Crown, and the other half elected as before, only for five years instead of the old term of thirteen, the Lieutenant-Governor having the casting vote. A second Act of that year, "to make better provision for the "conduct of the Executive Government," abolished the old "Administrative Council."

A great fire nearly destroyed Basseterre in 1867. For its restoration on a much-improved plan, 25 per cent. was added to the customs. It is

creditable to these little islands that they have never created permanent debts; and even for the restoration of their fine old church, St. George, they only borrowed a short loan in England.

Anguilla lies 60 miles to the north-east of St. Kitts, and sends a representative to the Council, having for its own local administration (what would really suffice for all the smaller islands, and suit them best) a Stipendiary Magistrate, and a Vestry which in this case was lately set up again for the purpose. Its population are a peculiarly fine mixed race, about 2000 in number, but migratory; in religion mostly Wesleyans, the only Church service being performed in a school-room.

Sugar cultivation is here almost abandoned, and that of cotton has ceased since the peace. Salt is at present the chief production, though here as elsewhere past English policy is more to blame for unproductiveness than Nature.

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in the year 1861, substituted a partly-elected Council for the representative Legislature which it had enjoyed since 1668; and in 1867, after an election of the popular portion of its new Council had been taken specially on the question, it constituted itself a purely Crown Colony.

The white population is only one per cent. of the whole number of 8000, and absenteeism has

reduced society to a mere aristocracy of agents over a mass of freed slaves. The chief proprietors, the Sturges, have, however, fortunately made themselves as active and conscientious improvers and reclaimers of the land by deputy as they could have been if resident.

The Administrator had already, more than once, reported the "total unfitness of the persons chosen "to serve in the Legislature"—the greater number being barely able to read or write—when at last the constituencies actually themselves pledged the men whom they returned at the hustings to commit their own political suicide.

The result has already been most advantageous. An excessive civil establishment has been considerably cut down; but a less justifiable economy has been sought in postponing repayment of our earthquake loan. Sugar cultivation has been vigorously resumed, and is now conducted on an improved method in places which had been deserted. An immigration has begun from Barbados and Antigua. A regular police has been established. The revenue, at the usual West India rate of about 15*s.* per head, amounts to 5500*l.* a-year, and though it had not before proved adequate even to a decent maintenance of public buildings—the gaol particularly being left in wretched condition—it is now found capable of specific appropriation for all requisite improvements. The roads are kept up by a system of statute labour, and parish rates

have been abolished. This island was also to have been, together with Nevis, put under the Lieutenant-Governor of St. Kitts; but a more complete consolidation of both the executive and legislative institutions of all these islands is now in contemplation.

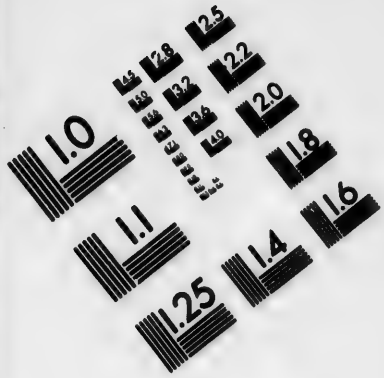
DOMINICA

being the only remaining subaltern government in the Leeward group, we will take it in advance in our southerly course, in order to consider last the metropolitan Island of Antigua.

This island also, in 1865, substituted for a representative constitution a mixed Council of Legislature, which is composed of two septemvirates—one nominated, the other elected—with the Lieutenant-Governor riding autocrat over the neutralization of the two.

When France, at the peace of Paris, 1763, resigned several islands to Great Britain, Dominica, together with the Grenadines, St. Vincent, and Tobago were under one government. By our disintegration of government the 25,000 inhabitants of this island, chiefly black, are taxed 20,000*l.* a-year to maintain fifty-three officials for themselves alone. The collection of this revenue costs at a rate of two and a half times as much per cent. as our collection of revenue costs at home. One-sixth of the entire taxation is expended in relief of poor. We have just consented to a





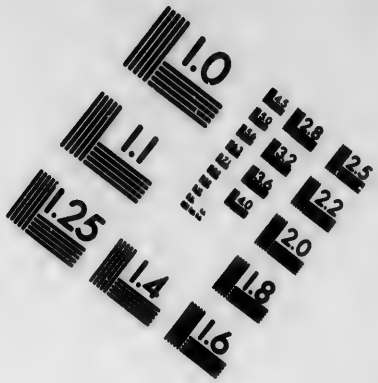
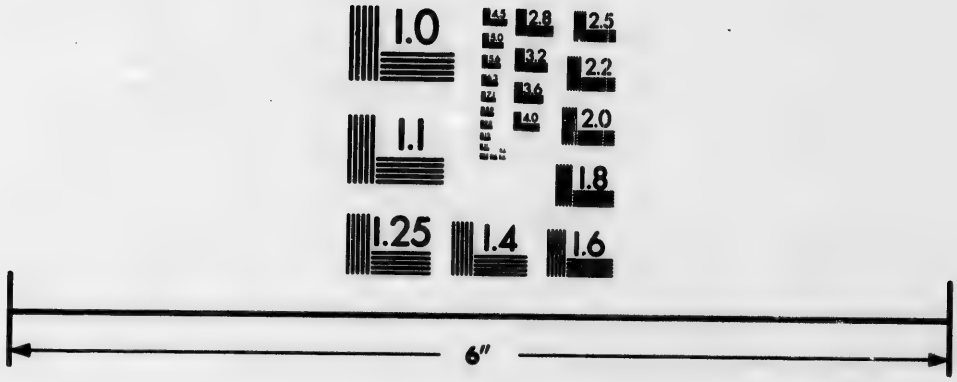
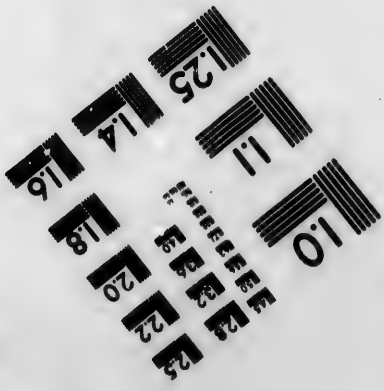


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deferred repayment of our hurricane loan of 1836, though the public debt has never exceeded half a year's revenue. The little Colony is so crushed in means or spirit that it cannot even recommence a bridge over the Melville river which a flood lately washed away during its construction, after they had expended only 435*l.* upon it; nor a jetty which the sea destroyed under similar circumstances. Its general progress may be measured by the fact that the price of meat and fish is still fixed by the Market Act of 1775, and an assize of bread continues under an Act of 1793. General demoralisation has had the effect of actually stagnating the natural increase of population.

The Roman Catholic is the prevalent religion, but the Church of England alone receives any public supplies.

In 1867 the Legislature adopted the Encumbered Estates Act, and Governor Longden passed a Bill for retrenchment of salaries and civil expenditure. Amendments have also been introduced in the judicial system and jury qualification; but constant disputes between the Speaker and Chief Justice and the elected members of Council show here as elsewhere the urgent necessity of swamping petty local jealousies by congregating these little governments over much larger areas.

ANTIGUA

is the Leeward metropolis, and at its capital, St. John, the Governor-in-Chief of the whole group resides. It will soon be the sole seat of Leeward government, and I hope of legislature too. The area of the island is 168 square miles; its population 36,000, of whom only 2500 are white. The revenue amounts to 50,000*l.* a-year, a considerable portion of which arises from a land tax appropriated to the support of the Church.

The Legislature was reduced, in 1867, from a double Chamber to a mixed Council of twenty-four, half elected, a large minority having even advocated purely Crown government in preference; and the last annual Report describes this simpler machinery as "working far more freely from the "factions and party spirit which are so generally "productive of mischief in small communities. "when two races contend for power to the injury "of the mass." The new Legislature is vigorously pushing forward various measures which have been kept in abeyance for a long while.

Commerce has not yet rallied as much as was expected, but the process of agriculture both in sugar and cotton has improved, and there is a marked amelioration in the appearance of the people inspirited by the advance of public works. There is, however, an increasing public debt, now reaching the amount of 60,000*l.*, and the expendi-

ture is in constant excess over the revenue. The general tone of morality is said to be deplorable.

The new Constitution Act of 1867 reduced the number of electoral districts from fourteen to eleven, which sufficed for the election of the so-called popular half of the new Council, but the qualification for members and voters was not altered from that fixed by the Franchise Act of 1852, and which now admits only 426 out of 36,000 inhabitants to the electoral register. The Executive Council has been restricted to official members, but is allowed rights of local patronage beyond what it would have under a mere Crown Government. The Bishop, and ecclesiastical establishment I reserve for some general observations on the West Indian Church.

The Island of Barbuda, having 40,000 acres of bad land, and 600 of an equally inferior population, was annexed to Antigua by Orders in Council in 1859; and by a local Act, confirmed by Orders of the same year, the courts and laws of Antigua were extended over it.

It was first colonized by Sir Thomas Warner from St. Kitts, and granted by the Crown to the Codrington family in 1684, but it was lately surrendered back to the Crown, by the trustees of the minor now representing that family, as profitless. As yet no sort of magistracy has been established, and the negro inhabitants are in a state of utter disorder. In the last renewal of the Crown grant to the Codringtons, 1855, which was made for a

term of fifty years, there were covenants to keep a clergyman at 150*l.* a-year, to supply medicines, and to conform to the wreck laws. A revenue from wrecks supplied about 300*l.* a-year towards the general costs of government which trebled that amount, but no doubt the new Legislature of Antigua will establish a mode of settlement by which the wealth of the island may be developed, and orderly administration may be supplied by the resources which will be derived from Crown land sales, and moderate taxation.

WINDWARD ISLANDS.

BARBADOS.

I take the head-quarters of this group first; being that also of Her Majesty's forces in the whole Caribbean command, and coming first geographically in the course of our review.

This oldest and most constant of the British West Indian possessions, first patented to successive noble proprietors, and soon politically enfranchised, still retains its early constitution little modified since 1625. The Executive Council consists of not less than seven members, of whom the Bishop is one. The same persons form the Legislative Council; and the Assembly is composed of two members elected by each of eleven parishes, and two for the municipality of Bridgetown.

The Council was also the highest judicial Court of Equity and of Appeal till 1841, when such

business was transferred to a Court composed of a Chief Justice from each of the principal islands. The Assembly discharges various executive duties by committees.

This island has always been as well governed as may be with an ill-constituted Legislature. Its limited territory became speedily occupied, and the slaves, in old times more attached to their masters, have found neither room nor inclination since emancipation for the squatting and idleness which have been the bane of other Colonies.

The trade of Barbados is yearly increasing; indeed, the island is becoming more and more the mart whence the rest of the West Indies obtain their supplies. The smaller islands have ceased sending to America for breadstuffs, finding it easier to obtain them here. Here is the highest cultivation. Lord Grey remarks (I. 195) on the increase of sugar production in Barbados, in spite of the open competition with slave-grown produce since 1846, that it was a proof that all these Colonies had success in their power if they had spiritedly met their trial. It must, however, be borne in mind that the pressure of population on the means of subsistence, here more than elsewhere, obliged the negroes to work. More proprietors reside here than in other islands; and even the absentees keep up more of a family superintendence, sometimes sending their sons annually to inspect their estates.

In 1866, Governor Walker induced the Legislature to pass a Militia Act, telling them that they

must not trust to the Queen's troops for their particular service, as they were meant for the whole of the West Indies, and were altogether thought an undue charge on the British treasury. They afterwards introduced a Bill to repeal the Act, and though for a time delaying its passage in deference to a remonstrance from Lord Carnarvon, they have now apparently given up all thoughts of forming a militia. A Colonel and Regimental Staff will be substituted for a Major-General and head-quarters, and the troops will be reduced, and included in the Jamaica command. A police force was established in Barbados in 1833, and an Act of 1859 provided for accepting the services of Volunteer Rifles, Artillery, and Yeomanry Cavalry.

The Magistracy and Judicial Bench are overcrowded, and the combined Court of Appeal for the Windward Islands, made up of surrounding Chief Justices from St. Lucia, Grenada, and Tobago, far from supplying the authority required, presents an unseemly spectacle of judges in collision with one another.

The Episcopate, and large ecclesiastical establishment I postpone for a more general review. In Barbados the provision is certainly excessive and unequal; nor do I think the general prosperity and comparatively good government of the island any proof that all its establishments do not want retrenchment and reform, or any detraction from the arguments in favour of consolidation of the West Indian service.

is the first Lieutenant-Governorship in proximity to Barbados, but the last incorporated into the Windward group in 1838.

The island, not being twice as big as the Isle of Wight, and having a population of less than 30,000, only 1000 of whom are white, finds the civil and judicial establishment even of a subaltern government burdensome, and the Roman Catholic ecclesiastical foundation out of all proportion to its demands or means.

The expenditure is usually about 1000*l.* a-year in excess of the revenue, which is only 17,000*l.* The annual trade is valued at less than 90,000*l.*

Old French habits prevent this Colony from ever wishing for any other than simply Crown government. Not till 1833 was English legal procedure substituted for French.

Reduction and consolidation of the public offices have been partially attempted, but with difficulty while local affairs are being thrown more on the hands of the Colony. The withdrawal of all Imperial garrisons has necessitated the organization of a local constabulary, which, however, at present consists of only fifty men; and the payment of stipendiary magistrates has been locally undertaken, besides other purely colonial concerns (such as the dredging of Castries harbour), which till lately were strangely considered Imperial liabilities.

The public debt does not exceed one year's revenue, and was incurred chiefly for remunerative investments, such as immigration, and for roads and bridges.

A small immigration of Coolies began in 1858, but few remain under their indenture. A bounty is now offered to those who will re-indent themselves, and forego their back-passage, or resist the temptation to pass on to Trinidad or Guiana.

An education-grant, which was charged by a local Act specially on surplus revenue, has died out with the existence of any such security.

Agriculture is declining, the export of sugar last year having been one-sixth less than that of the preceding year, though the late earthquakes and hurricanes did not reach St. Lucia.

Of this Colony Lord Grey remarks that he found it in a very unsatisfactory state, morally and materially—the upper class divided by feuds, the lower having made no progress since emancipation—and its agriculture in a very rude condition (I. 121). He thought that the removal of a certain judge, which was consequent on a reference to the Privy Council, was an exercise of superintending power which beneficially tended to suppress local inquietude. The interference set up the gods, and served to quell the internal agitations incident to so small a society. In transferring appeals to the Chief Justices on circuit, he took the first step towards improving the general administration by a consolidation of

offices. The establishment of trial by jury in criminal cases in 1848, on a plan of his own special approbation, namely, that of giving verdicts by majorities lessening as the period of deliberation lengthened, and the introduction of municipal institutions, at Castries, are two measures for which Lord Grey takes credit, as showing the way of improvement in a Colony which certainly is highly gifted by nature, and whose defects are only indicative of error in its treatment.

ST. VINCENT

is not even so big as the Isle of Wight, and only 21 miles in distance south-west of St. Lucia. It is the head, as Grenada is the tail, of the Grenadine reef, and some of the islets are comprised within its government, the rest within that of Grenada. Yet the genius of colonial patronage has erected here a Lilliputian Court, and a Council of which the Lord Bishop of Barbados is always one, and a Legislature, and a numerous little civil service, and an equity and common law judicial list, in which figure, at least nominally, a chancellor, vice-chancellor, chief-justice, and three puisne judges.

This island, granted during the seventeenth century to successive noble English proprietors, afterwards passed through various destinies till, in the French war, Sir Ralph Abercombie secured it finally to the British Crown, when the native Caribs

were transported *en masse* to the Isle of Rattan off Honduras, and a constitution on the English model was given to the few white inhabitants who then constituted the population, and who were supplied with an outfit of government by an Imperial loan.

Considerable efforts have lately been made to furnish St. Vincent with labourers by an immigration of Portuguese, Africans, and Coolies.

The population now consists of 2000 Europeans, and 30,000 of a mixed and negro race.

It was too apparent at the time of the late Jamaica insurrection that this black population sympathized with the insurgents until the news of its prompt suppression silenced them.

The revenue is 20,000*l.* a-year. The annual imports are valued at 200,000*l.*, two-fifths of which come from England, and nearly all the rest from English Colonies.

St. Vincent, as appears in my summary (p. 219, and 291), has followed the prevalent example of the West Indian Colonies in reducing a representative constitution to what Lord Grey considers its germ, namely, a single Chamber of Legislature half elected, with a casting vote given to the Crown. An Ordinance of 1866, confirmed by Order in Council, enacted that the Legislature should consist of three official members, three unofficial, and six elected on a considerable property qualification. The Act was at first drafted so as to give a majority of one to the elected members, but this was objected

to by the Secretary of State, and, as in every other case, it was enacted that the nominated and elected branches should be evenly matched. In 1864 the Executive Council had been made a mere council of advice, holding office at the pleasure of the Governor. It was, in fact, confessed that in so small a community, where only seven per cent. of the population were white, and those chiefly agents of absent proprietors, there were not materials for more popular or representative institutions. At the election, however, taken on the question of this constitutional reform, which had emanated from the popular Assembly, there was a decided repugnance evinced to entire Crown government; and the general feeling ran so strongly in favour of retaining some representative element, as to show a spirit which, if given larger scope, may yet develop more perfect forms of British citizenship. Very few of the blacks ever care to use their votes, and the subsequent adoption of voting papers will practically disfranchise the illiterate mass.

It was further proposed to make the whole island one constituency, and Kingstown the only place of election; but the Secretary of State preferred the retention of the old electoral districts. This looks like hope of some day reviving representative government, but it is clearly the Governor's opinion, and increasingly that of the Council, that for the present the Colony would do better even to submit wholly to Crown government.

The Colony expends a considerable sum both in maintaining a militia and volunteers of its own, besides a Company of the Queen's troops. It pays 3000*l.* a-year for 100 men detached from Barbados, and for the cost of their barracks; being the only West Indian Colony which so garrisons itself.

The island is divided into four parishes, whose rectors, curates, churches, and schools are all supported by grants from the public funds.

GRENADA.

This last link in the Grenadine chain, which stretches for sixty miles from north to south, is about the same size as St. Vincent at its upper extremity.

With Barbados and Tobago (see p. 291) it makes up the majority of three out of the five Windward Islands which retain a complete representative form of constitution, having one of two Chambers of Legislature wholly elected. Its House of Assembly consists of twenty-six members, who, under the regulations of a local Reform Act of 1854, are elected for a term of seven years by five constituencies, both electors and elected being qualified by property. In a population numbering 35,672, the whites have dwindled down to little more than 500. There are only 652 registered electors.

The Council was also reformed in 1856, and

limited in its duration to three years. The revenue of this little Government is about 20,000*l.* a-year, on which it keeps up a considerable civil list, and a judicial establishment which includes a chief-justice and three puisnes!

While the customs are declining the public expenditure increases, chiefly in payment of police, and the last year's accounts show an excess of no less than 25 per cent. over the revenue, besides an increased loan for the purpose of Coolie immigration. The trade of this island is, however, on a sounder footing than before the abolition of slavery, when a system of reckless expenditure had led the planters to mortgage their lands to the value of a million and a half sterling. The sugar culture is inferior in quality, and not increasing; but that of cocoa and cotton is rapidly improving, and the whale fishery is considered successful.

In 1866 the Legislature adopted the West India Encumbered Estates Act.

More than half of the population are Roman Catholics, and their church has memorialized for a larger share of public support. The churches of England and Scotland have grants amounting to 2200*l.* a-year, or one-tenth of the revenue, besides fees and glebes.

In this island, as in others, the Crown has recently given up to the local Government its right to escheats.

The home Government have urged on all these

Colonies improvement of their prisons, and the establishment of labourers' hospitals on each estate. The first subject has been attended to in Grenada by the passing of a Gaol Act in 1867. Neglect and even cruelty towards Coolies have lately taken place to such an extent as to necessitate legislation, and unfortunately the new Grenadine enactment does not tally with the regulations in Trinidad and Guiana, where Coolie immigrants chiefly go; which is another illustration of the desirableness of more concert between all these island Legislatures. The planters assert in their defence with some reason that the terms of the Imperial convention with China, so needlessly onerous to them, lead to a less liberal treatment on their part of the immigrant labourers.

TOBAGO

was destined by the Duke of Buckingham to be taken out of the Windward group, and put under the Government of Trinidad, from which larger island it is only eighteen miles distant.

This little Lieutenant-Governorship has two Chambers of Legislature, the upper being composed of seven councillors appointed for life, and the lower of sixteen members elected by seven parishes, each returning two, and by two towns returning one each. Both electors and elected must be possessed of a property qualification. Only

216 appear on the electoral register out of a population of 15,100, and of them, at the last election, only 89 voted, which gives an average of five votes for each member of the Assembly.

The white population has dwindled from 2000 to 300, and the whole population has not increased for 150 years.

The representative constitution of this little island was given to it in the year 1769, and remodelled in 1855. There was a reform of the franchise so recently as in 1860. But the Upper House is described as simply a log round the Assembly's neck. Their apathy gives the embarrassment, but none of the benefit, of a check to the Assembly's deliberations.

The agricultural and financial accounts are good. A loan of 20,000*l.* which this country made to enable Tobago to recover its losses from a tremendous hurricane has been cleared off, its Assembly imposing for the purpose an additional 2½ *ad valorem* property tax, which fell chiefly on themselves. The revenue, of 10,000*l.* a-year, about balances the expenditure. The trade is valued at 56,000*l.* a-year.

The island is ecclesiastically in the diocese of Barbados. There are three clergymen, and five places of worship, and one-eighth of the population are at school.

The colonists decline raising any local force, saying that they trust to Barbados in case of need.

The taxes throughout all these islands seem to

amount to an average rate of about 15*s.* per head of the population, which, but for the poverty of the helot mass, would seem to English tax-payers a very small contribution for the requirements of government. Certainly the taxation of Cuba, and of other foreign West Indies, is much heavier, and their administration worse. Their heavy taxation is no doubt a process of Government plunder. But our light taxation must not be taken as a feature of economical management, but rather of inefficient administration by a number of underpaid officers, the patronage of whose appointments produces no plunder, but only an additional lien on the home treasury, while public interests are starved. Sir Benjamin Pine, in commenting on a circular lately sent to the lieutenant-governors calling attention to the state of their estimates, observes that "not "one of these islands is financially healthy."

When we connect the smallness of the rate of taxation with the fact that so large a proportion of the people are *prolétaire*, we must, in treating of the Caribbean Islands, confess some blame for the fact; for a finer original stock existed there than elsewhere, part of which we banished to replace with more docile slaves, and the rest, or what little survives of them, we have failed to civilize. In an able article on Jamaica in the last edition of the 'Encyclopædia Britannica,' written by the Rt. Hon. Stephen Cave, M.P., it is remarked that the fiercer Caribs of the Windward Islands were of a

very different race from the inhabitants of Jamaica, Cuba, and Hayti, who, like the Arawaks of Trinidad and Guiana, were probably of the softer Mexican stock. Here, then, there were probably materials for better institutions, if the first proprietors had made adequate efforts to civilize the native population.

I have given a somewhat dry statistical account of the Leeward and Windward Islands with the view of showing nakedly the necessity of consolidating their governments, for the sake of economy as well as efficiency in their administration. My sketch may also be of permanent interest as the latest history of these islands, probably, before so great a change and reform in their government will take place.

Of all the Leeward Islands, and of two of the five Windward Islands, we may say that the Crown is practically the depositary of their government. By way of exhibiting the character of their legislatures at a glance, I give a synopsis of the composition of them all.

LEEWARD ISLANDS.

	Ex-officio.	Nominated.	Elected.	
Antigua	—	12	12	Crown having casting vote.
Nevis	2	3	5	ditto.
St. Kitts	3	7	10	ditto.
Dominica	—	7	7	ditto.
Virgin Islands ..	3	3	—	wholly Crown Legislature.
Montserrat	—	6	—	ditto.

WINDWARD ISLANDS.

	Ex-officio.	Nominated.	Elected.	
St. Vincent ..	3 ..	3 ..	6	Crown having casting vote.
St. Lucia	5 ..	7 ..	—	wholly Crown.
Barbados				
Grenada	double Chamber, second elected.			
Tobago				

We may, then, treat the Caribbean Islands generally as Crown Colonies.

Considering that the official members of these legislatures are required to support the Crown, subject to dismissal; that many of those who are nominated are salaried, and could not retain their salaries with any general opposition to the Government; that some of the elected members are similarly beholden, and would have probably in critical circumstances to resign emoluments for independent votes, it is clear that the supremacy of the Crown does not even depend on its casting vote, as the opposition could rarely reach its utmost power against the government influence. The Legislature is therefore under the control of the Executive, and the popular principle is limited to the external action of public opinion, which, under all British government, may be freely expressed, but which in these islands is passive among the great mass of the population, unless when stirred by violent passion. There is no ultimate resource but a protest to the Secretary of State, which must be communicated through the Governor; or an appeal to the House of Commons, which is an idle

resort, unless the case may be available, by parties at home, for damaging a Ministry. The Queen sends out a representative in whom she trusts, and with whom she should interfere as little as possible; he is furnished with an executive agency, and presides in a council which is really only consultative—which gives him advice and information, and brings to bear upon him the light of day, and the tests of the established law. Such is Crown government.

There seems to be no halting-ground between this state of things and representative government, for which, at all events at present, these little islands, peopled chiefly by negroes, with only a small upper class of factors, are not severally capable. The official staff sent out from England finds no local body fit to co-operate with it, still less to control it, in government.

Sir Benjamin Pine, during his provisional administration of the Leeward Islands, which lasted only twelve months, had the singular fortune to convert them all into practically Crown colonies, except Dominica, which Mr. Robinson had previously converted, and three-fifths of the Windward Islands have gone the same way.

A consolidation of all these eleven little Crown establishments in one, with only such outlying agency in each island as the central authority might require to execute its orders, would have the trebly good effect of economizing their re-

sources, of offering larger inducements to superior men to undertake their civil and judicial service, and of increasing the social influence of higher intelligence, swamping petty jealousies in the wider community.

Mr. Cardwell took the first little step in combining these governments, by putting Nevis under the Lieutenant-Governor of St. Kitts; and Montserrat was about to be added to the group, when the Duke of Buckingham took up a larger project for consolidating the government of all the Leeward and Windward Islands, except Grenada and Tobago, which lie so much nearer to Trinidad.

He could not, however, amalgamate all the legislatures, owing to the chief of the Windward Islands retaining representative institutions, incongruous with the rest. On this account, Lord Granville has restricted his plan of consolidation for the present to the Leeward Islands, on which limited scale, he may carry into effect a more perfect unity of both government and legislature, making the command of the Governor of Antigua supersede the four Lieutenancies, and placing only a Stipendiary Magistracy in charge of each insular administration, while a Legislative Council for the whole group may sit in the metropolis, receiving its elective quota in the way of delegation from the constituencies of each of the several islands.

The economy, greater executive efficiency, and national and material development, which may all

be expected to result from this combination, may thus be partly estimated. The salaries of the five Governors amount altogether to more than 7000*l.* a-year, besides those of their Secretaries, and of the Colonial Secretaries. Supposing all their clerks and the rest of their staff to be still required, these united salaries alone will be a sufficient sum to attract the highest order of public men to undertake the whole government, which, from peculiarity of situation, requires the greatest tact, intelligence, and personal independence in its conduct, and a first-class service to be employed upon it. A similar calculation applied to the judicial establishment will show that there are means for substituting a few Circuit Judges of the highest order for a mass of little Chancellors, Chief Justices, and Puisnes now frittering authority and exhibiting unseemly quarrels in every little island; while decisions from one set of law Officers will be a great improvement on the present kaleidoscope of conflicting and fanciful opinions.

A united Legislature will to some extent escape from little party spirit, dealing with larger questions on wider principles; and union must tend to assimilate laws and regulations, many of which (*e. g.* those on immigration) it is a matter of vital importance to make uniform.

Sir William Colebrook once attempted such a congress in these islands, without superseding the local legislatures, in hopes of introducing some

degree of homogeneity of ideas, and concert of action in general concerns; and the very first object of statesmanship, in governing little adjacent communities of various origin, particularly when the mass of the people is of inferior race, is to use every means to simplify, assimilate, and if possible identify their codes of law.

That a single steamer will fully afford all the communication required by a central executive for official purposes among the Leeward Islands, will appear from the fact that Antigua is only 150 miles from the most northern extremity of the group, and only 50 miles from the most southern.

A more thoroughly organized police force throughout the islands will likewise render all the little garrisons of the Queen's troops absolutely useless; while it may be hoped, as new life emanates from a better condition of things, a general contribution from a thriving and lightly-taxed British commercial interest throughout the West Indies may partly meet the cost of their naval protection furnished from England.

The possibility of a like economy in ecclesiastical arrangements I will discuss by-and-by, as it applies to the whole of the British West Indies.

TRINIDAD

is a much larger island, extending 60 miles in length by 40 in breadth. It was finally ceded by Spain to England at the Peace of Amiens, and Spanish laws, rooted for two centuries, are still the basis of its legislation.

The government is, and always has been, entirely in the hands of the Crown, the Governor having an Executive Council consisting of the Commander of the Forces, the Colonial Secretary, and the Attorney-General, and a Legislative Council composed of six official and eight unofficial nominees of his own.

The population numbers 84,000; in religion, chiefly Roman Catholic; in race, negro, mulatto, and Chinese, with the exception of about 1500 Europeans. The general revenue is 215,000*l.*, besides which there has been established in this island a local taxation, both in rural districts and wards, and in the municipalities of Port-of-Spain and San Fernando, which is chiefly levied on houses and land. The larger rate of taxation in this island may be accounted for by the larger scale of public improvements.

The import trade, which may be roughly valued now as follows—500,000*l.* from England, 200,000*l.* from the United States, 100,000*l.* from British North America, and 100,000*l.* from the rest of the world—is balanced by exports, chiefly

to Great Britain, and of British manufactures to the other countries.

Lord Grey gives (I. 128) an elaborate account of the measures successfully taken by Lord Harris, who was Governor of Trinidad from 1846 to 1854, to bring the Colony out of serious financial difficulties. In 1848 a recent commercial crisis, and falling off of the revenue, and the stoppage of the West India Bank, had reduced the treasury to absolute emptiness. Lord Harris (quoted by Lord Grey, I. 86) attributed this state of things to the want of any wise local legislation, on true principles of civilizing society, after emancipation had given liberty to a mass incapable of understanding it. "A race had been freed, but a society had not "been formed." Lavish expenditure and haphazard legislation had been going on for ten years. There were no motives to industry, nor feelings of respect for law among the great mass of the population. The freed negroes wanted education, and a larger and superior class of European residents were needed to influence affairs, and to divert the community from perpetually hankering after a retrograde policy. "How little of any true "foundation of prosperity," observes Lord Grey, "had been laid in the era of slavery and of "protected monopoly!" Lord Harris, without interrupting the free-trade policy which this country had adopted, retrieved the revenue by a bold retrenchment of expenditure in the most

self-sacrificing spirit, and by the introduction of a light local impost. The latter expedient is duly praised by Lord Grey, who always treats this prescription for rallying a people's vigour by taxation, with the fondness of Sangrado for his panacea for restoring health by blood-letting. One of the new taxes, on land, materially checked the great abuse of squatting which had been so largely resorted to by the idle freedmen. Immigration of labourers was promoted by loans from England, but since 1853 has come freely from China and India, guarded by the most elaborate regulations of the whole process—at its outset, on the passage, and after arrival—which seem only to err in excess of care, but in that respect seriously demand amendment as uselessly obstructive of the object they have in view. Lord Grey urged the enlistment of free black and coloured labourers from the Southern States, which mode of supply the West India committee of 1842 had suggested, but which was somewhat hazardous of international misunderstanding, and could only be effected by small and irregular instalments as occasion might offer.

It is strikingly characteristic of the variance of public opinion at different periods that the proposal to aid the West Indies largely at this time by guaranteeing loans was barely carried against great opposition in the House of Commons, not on the ground of Fox's objections to such aid, "that they gave the Ministry irresistible influence

"over the commercial interest," nor on the ground on which they are now objected to, as throwing undue liability on the British treasury, but as insufficiently remedial to colonies suffering from our desertion of protective policy, and therefore entitled to more substantial relief from the mother-country.

The changes of Governors have been so frequent of late in Trinidad that each of the last four annual Reports begins with a confession of such slight acquaintance with the place as to justify no lengthened observations.

In the Report of 1865 Sir John Manners Sutton reflected on the length of the list of an underpaid civil service, and the necessity of a consolidation of offices. There is an equally excessive charge on the revenue for ecclesiastical purposes, both for the Roman Catholics—who are greatly the majority of the population, and have an archbishop and vicar-general—and for the Church of England, which in Trinidad forms only a part of the diocese of Barbados.

The municipal corporations established in Lord Grey's time, at Port-of-Spain and San Fernando, are now described as wholly unworkable, and unsuited to the Colony. They are both at present asking for help to get them out of debt.

Here, as in other islands, the Colonial Department has been busily urging on the local Government many improvements, and especially that,

which I have already mentioned, of prison discipline, which the crowded state of the gaol greatly impedes. It may be found impossible to lay down strictly for colonies rules which we have scarcely ourselves the means, even if we have arrived at the principles, to carry out. In Crown colonies, however, it is undoubtedly the duty, and not remotely the self-interest, of the mother-country to give the best advice in all matters of administration, even though it may not be likely, or even possible, that all the proffered maternal wisdom should be adopted.

Recent successful speculations in getting pitch and coal in Trinidad show that we have not yet developed all the resources of the island, nor is the cultivation of sugar, cocoa, and cotton anything to compare with what it might, and we may hope soon will be.

On the whole, however, the present condition of Trinidad, compared with other West Indian Colonies, may be considered favourable to the opinion that Crown government is the best suited to present wants and circumstances, and that it has carried the colonies subject to it better through recent crises than the more representative forms of government, which, after all, have practically represented one class only.

BRITISH GUIANA,

though called a Crown Colony, is really possessed of more popular control (so far as the phrase can apply to a very limited franchise) over the Executive in the constitution of its Legislature than many which are said to have representative government.

This spot on the South American continent was first occupied by the Dutch West India Company in 1580. Its boundaries on the side of Venezuela are still imperfectly defined, but towards the sea are the rivers Corentyn and Orinoco.

It came finally into British possession at the end of the French war, but still retains its Roman-Dutch law in civil causes. The constitution, dating back from 1773, was modified by an Ordinance of 1840. In the Court of Policy five members named by the electoral and elected little College of Kiezers are coupled with five official nominees, the Governor having the casting vote. Financial Representatives, who sit with them in combined court for all fiscal legislation, are, together with the College of Kiezers, elected by an enlarged constituency, instead of by the narrow clique of planters who used to engross the elections. The Ordinance referred to also distributed the constituency in electoral districts.

Lord Grey dwells much on the important history of this Colony during his administration.

The distress which followed upon the adoption of free trade was put forward by the Colonists as

a plea for reducing all their civil list, at a swoop, by 25 per cent. Lord Grey, firm against the attack on free-trade policy, and the outrageous violation of vested interests, calmly watched the frantic struggle, which went so far as to the stoppage of all the supplies, and merely threatened to leave all the service unsupplied, even down to their police; till at length, with some little compromise, he conquered; and no harm resulted but the loss of a year's revenue, and the concession of a future reduction of official salaries.

It was fortunate that this struggle ended as well as it did. No doubt Lord Grey had a right to instruct the Governor to exercise the Crown's prerogative of veto even on a financial proposition, and the case demanded strong measures. Not that the reduction of the Civil List can be put out of the reach of the combined Court of Guiana, any more than the fixed charges on our Consolidated Fund are, whatever the change of circumstances, out of reach of the House of Commons; but there was a special question of equity in this case, from the fact of various officers (judges amongst them) having gone out trusting to promises of certain salaries, for which many had given up larger professional incomes; and the plea of distress could not be of such a nature as to justify singling them out for reduction. The veto of the Crown is certainly an ultimate resort, to be used with discretion in just such a crisis as this. The

English Minister had moreover an extra right to interfere in Colonial finances when English taxpayers so largely contributed to them—a right the exercise of which the complicated and equivocal nature of the Guiana constitution only rendered more difficult, but not less justifiable.

There was happily a singularly judicious Governor, Sir Henry Barkly, on the spot; or the handling such extreme policy from so great a distance must have been hazardous. As it was, things ran to the verge of anarchy, and of total dissolution of the whole framework of government.

Not till near the end of Lord Grey's administration (1852) were ameliorating measures passed, for immigration of labourers and agricultural improvement, which, with trenchant economizing of expenditure, restored the overburdened and inelastic revenue. The constitutional reform, enlarging the franchise, to which I have alluded, was then also introduced. More thorough reconstruction of the Legislature is still urged by those best acquainted with the Colony—the substitution, namely, of a mixed Council, like that which is being elsewhere adopted, for the singularly encumbered machinery of the Court of Policy, which is really an ordinary Crown Government subjected to an intermittent blast *ab extra* of popular violence dissipating its supplies.

Things, however, have gone on smoothly since the last great struggle. The Civil List Act has

just expired, and certain salaries have been reduced. Sir Philip Wodehouse passed an Ordinance for constitutional reform in 1855, which need not be described, as the Duke of Newcastle advised the Queen not to confirm it.

The state of the finances certainly calls for no immediate reform. The public debt is 661,000*l.*, and the expenditure is in yearly excess of revenue, which has fallen from 304,000*l.* to 275,000*l.*; but the Colony is paying off its debts, which have been legitimately contracted for useful public objects. There was a loan guaranteed by this country for Guiana, under the West Indian Loans Act of 1848; and a loan Ordinance for building parsonages, which lately originated informally in the Combined Court instead of the Court of Policy, was allowed to pass.

The sugar cultivation has been for many years largely carried on by African creoles born in Guiana, and well affected; but larger immigration is much wanted, and is now setting in chiefly from India and China.

Great prevalence of unhealthiness and yellow fever, both among the Coolie labourers and our troops, has lately led to considerable alarm. Hospitals have been established on every estate, and the War Office contemplates the total withdrawal of the Queen's troops; in which case probably the Colony will only maintain the existing police to keep the peace.

Whether the climate and soil are incorrigible, or only unconquered by requisite public works and sanitary regulations, is by no means clear from the Reports.

In 1854 the Duke of Newcastle took the first steps towards withdrawing the small detachments of troops placed here and there throughout the West Indian commands. Their dispersion was destructive of discipline, and their quarters were of the most inferior kind. In the opinion of military authorities they were useless for such defence against any foreign attack as alone could demand Imperial aid, and which must in every case be naval; and their commissariat and transport were thought a wholly unjustifiable charge on the English estimates. It was proposed to place a steamer at Barbados to concentrate, and bring to bear, when wanted, such reduced force as might be left. The Duke of Newcastle had to maintain this policy in debate against the opposition of Lord Grey, who argued that the West Indian interests had been so much affected by Imperial measures that they were entitled to have the protection of Imperial garrisons.

The unsettled boundary on the side of Venezuela is an additional reason for not keeping English troops so near as to get embroiled in, or possibly provoke, local disputes. Gold-hunters are, moreover, forming Companies on the border, whose eager looks for Government aid to their specula-

tive enterprises give us still further warning against offering too ready assistance in that quarter.

WEST INDIAN CHURCH.

I proceed to consider the ecclesiastical condition, and general religious provision of the British West Indies.

An annuity of upwards of 20,000*l.* was charged on our consolidated fund for the church, and educational requirements of these Colonies, at the time when the 4½ per cent. local Customs duties set apart for their civil service were allowed, under pressure of distress, to be discontinued.

The idea of the generous mother-country was, that the shiftings of her policy from slavery to emancipation had made her responsible for the welfare of those affected by them, and that the cost of such responsibility fell therefore, not on the colonial, but on the imperial tax-payer, especially as to the provision of the National Church.

This equitable charge on the English treasury, supplemented by grants for religious purposes from local taxes, supplied means for an extensive list of ecclesiastical officers. To payments from the English subsidy for bishops, archdeacons, rectors, curates, catechists, and schoolmasters, were added large appropriations of every island's revenue, and a numerous ministry of every denomination were also paid from the colonial chest.

In 1864 I received a letter from a West Indian chief justice informing me that an archdeacon had died, and expressing a hope that the vacant office would not be filled up again, but that "if the "House of Commons had more money to dispose "of than they knew what to do with, they would "be so good as to send it them in any shape "rather than archdeacons."

This led me to consider the subject, and I called the attention of Parliament in 1864 both to the excessive Church establishment in the West Indies, and the impropriety of such a burden being thrown on English tax-payers. When in office the year before last, I got an Act passed relieving the consolidated fund of the whole charge gradually, as existing interests die out: and for the future the religious and educational requirements of the British West Indies will have to be provided for from grants made by the local Legislatures, or from voluntary funds, as the Colonists please. There were Members of the House of Commons, who have since been chief promoters of Irish Church disendowment, who wished to tack on to my discharge of the West Indian Church from our treasury the wholly different proposition of stripping it of all public provision whatsoever; but they found no sufficient support, either in the House for so unwarrantable a dictation, or in the Colonies for their hostility to any national support of religion.

As the "Clergy Acts" in some of these

Colonies are just expiring, and the English subsidy will immediately begin to fall off, a general review and retrenchment of religious public expenditure will no doubt be necessary. I have related how much Sir John Grant has already done in this way amongst his reforms in Jamaica; but a more extensive and general scheme will now be required, especially in connexion with the proposed consolidation of governments.

At present there are no less than six West India bishops, including a coadjutor—namely, the Bishop of Jamaica, and his coadjutor of Kingston; and the Bishops of Nassau, Barbados, Antigua, and Guiana. There are three archdeacons in Jamaica, two in Barbados, and two in Antigua. The rectories also are numerous, while the working curates are wretchedly paid.

Besides the English subsidy, Jamaica appropriates nearly 30,000*l.* a-year from its revenue of 390,000*l.* to religious purposes, exclusively of parochial charges averaging 8000*l.* a-year which Sir John Grant has thrown on the congregations.

The little island of St. Lucia devotes a tenth of its revenue to the Church of Rome; Trinidad divides a tenth between the Churches of Rome and of England; while other of the island Legislatures vote grants, not only to those Churches, but also to the Presbyterians and Wesleyans.

I say no more than that it is a matter exclusively of local concern, in which it is neither right

nor wise for us to interfere, nor just to implicate the English tax-payer under pretence of Imperial philanthropy.

In the Crown Governments the Governor will act, as Sir John Grant has, under the influence of local opinion; and the Representative Governments will appropriate their own money as they please to their own religious requirements. Extraneous aid is more injurious to the religious even than to the civil interests of any community. The localization of administration is what we have to keep in view as much as possible, both for the adaptation and vigour of all colonial institutions, and neither Imperial authority nor patronage should ever intrude except in matters specially affecting English interests, or of common concern to the whole empire.

MAURITIUS

was captured by us from the French in 1810, and our possession of it was confirmed by the Treaty of Paris, 1814, and it has been governed as a Crown Colony.

The population is about 320,000; the European portion, which is chiefly French, numbers about 80,000; the Indian about 200,000; and the remainder consists of Chinese, Arabs, and Lascars. The French East-India Company administered the island's affairs from its abandonment by the Dutch in 1724 till the French Government undertook it in 1767; and the *code civile* and *procédure* remain, except as modified. The Courts were re-organized by Order in Council in 1851.

The Governor has the assistance of a Legislative Council of seventeen—ten of whom are landed proprietors unconnected with office, submitted for his acceptance, and the rest his executive ministers. The Island of Rodrigues, 300 miles distant, and the Seychelles, 940 miles distant, are superintended by Commissioners under his orders; just as the smaller West Indian islands might be superintended by agents of the governors.

Lord Grey (I. 98) states that, at the commencement of his administration, Mauritius, while advancing in industry and revenue, was never-

theless suffering from a difficulty in procuring labourers—a difficulty of course increasing with the greater demand, and fatal to material progress if not overcome. A better supply of labourers from India was therefore his first care. The immigration was relieved of much of its costliness, and put under better regulations both as to the engagements made on each side of the contract, and as to the regularity of the service itself.

The commercial disasters of 1847 occasioned such distress that it was thought right that Government aid should be granted, both by supplies of rice from India for the people, and by advances of money to the planters and merchants on the security of the sugar shipped for England. The Governor was also allowed to authorize an issue of paper money, to set free some of the capital locked up in specie in the country.

The planters prayed for a return to protective duties, and the exclusion of foreign sugar from competition, which was of course refused; but their suggestions for a modification of their government, and reduction of public expenditure were adopted. A system of municipal organization was also set on foot. The corporation of Port Louis was constituted by Ordinance in 1850, but so utterly did it fail of its proper functions, in recent times of trial by pestilence bred from neglect, that Lord Carnarvon, and after him the Duke of Buckingham, debated with the Governor whether the

attempt to train French colonists to self-government was worth the loss of life in so fruitlessly making it. Much, however, has been done by further legislation to mitigate the evils which existed. At this moment the local government of Port Louis is vested jointly in the municipal council, and a local board of health. In sanitary matters these bodies are subject to the control of a General Board of Health, from which there are great hopes of an amendment of the former state of things.

There has been also a reform made in the judicial establishment, getting rid of much of the cumbrous French *procédure*. The improvement of the jury system, and its adaptation to the variety of races, creeds, languages, and habits in Mauritius, restricting the power of challenge, and purifying the composition of the panel, was carried out on suggestions of Mr. Cardwell's in 1865. The heavy calendars of crime have been reduced by severer punishments, and it is proposed to check the prevalence of murders by substituting the more dreaded capital punishment of beheading for that of hanging. It was during these reforms that two additional unofficial members were added to the Council, putting the official members in their present relative minority, but this has probably been found rather a nominal concession to a sentiment than any practical guarantee of public economy or reform.

A considerable reduction of expenditure, and

consequently of taxes, has been effected by the Governor. Upon the reduction of the export duties the revenue rose, between 1850 and 1851, from 292,000*l.* to 321,000*l.* From 1864 to 1866 the revenue averaged 640,000*l.*, but it is now only 557,000*l.*; trade has risen in value during the same time from just over one million to nearly three millions sterling, but that flourishing condition of the Colony has lately been checked by calamity.

England imports less into Mauritius than India, and takes fewer exports than Australia. Australia and India take the finest sugars, and, owing to discriminating duties still levied, only 30 per cent. of sugar exports, and that of the coarser sort, finds (through the lower duties) its way to England. But if Australia takes to producing sugar for herself, whether from cane or beetroot, and to protecting native industry, Mauritius will be forced to equalize her tariff in order to open a more general market for herself in England. Exports to Madagascar begin to show that the desired revival of commercial connexion with that country is in process of realization. A treaty was made in 1865 with the Queen of that island, under which a British consular jurisdiction was established by Order in Council, similar to that at Zanzibar. By the 6 & 7 Vic., 94, "to remove doubts as to Her "Majesty's power in places out of her dominions," the Queen can carry out such treaties, and exercise

such rights as she obtains by them, in any country, as if in a Crown Colony.

A series of bad crops, from drought and a disease in the cane, has lately diminished the resources of the island, and a frightful fever has thinned the population and dispirited industry, driving men of business away to the more healthy country, and necessitating a partial withdrawal of the troops. The Reports received from the Governor, Sir Henry Barkly, relating to the year 1866 (presented in 1868) were full of gloom, owing to the then commencing epidemic, which has since thoroughly searched out all the sanitarily-neglected places in the island; and to which unhappily a scarcity of rice in India, from destructive hurricanes and inundation, added the horrors of famine.

The danger of a country depending exclusively on one staple product for its commerce, and that produced by an alien race precariously imported, and depending on another country for its food, is strikingly illustrated by these events.

The simultaneous distress in India drove a multitude of emigrant labourers, just when they were not wanted, on the hands of the Mauritius planters, who had been asking for them before in vain.

Many proprietors were ruined, and properties sold.

In the previous year's Reports (presented 1867),

Sir Henry Barkly gave an elaborate exposition of the state of the island, as soon as his experience as Governor had given him sufficient acquaintance with its affairs. He holds sanguine views of the capabilities and prospects of Mauritius, in confidence of the soundness of a basis of prosperity: where, he observes, "the average yield per "acre exceeds that of the virgin alluvial lands of "Guiana, Trinidad, or Cuba." The regular supply of labourers is the one essential consideration, and on this subject the Governor gives an historical account of great interest. He shows that it is a total mistake to discuss the practice of importing labourers, which has been pursued, as a system; for it has been subjected to constant changes during thirty years. "Distrusted at its commencement by "the Imperial, and opposed by the Indian Govern- "ment, it has been alternately permitted, pro- "hibited, regulated, restricted, but never encou- "raged." (Rep. p. 114.)

The planters have prayed that immigration should be allowed to take its natural course unregulated; but as Lord Grey says (I. 103), "The abuses, to which unrestricted introduction "of labourers by individuals led, have neces- "sitated Government control." Still, the variety of plans, and the clogging of all of them by so many conditions, and the inelastic fixity of the prescribed terms of an enterprise which so much thrives upon the freedom of the contract, must

have, from time to time, caused needless embarrassment very much accounting for failure. A minimum of conditions should be required; and amended regulations, facilitating the process to the utmost, should be introduced. The cost of passage from India may be reduced much below its present lowest rate of 10*l.* per adult, which Lord Grey states as 3*l.* 3*s.* 1*d.*, I suppose, excluding expenses in India. Sir Henry Barkly suggests that there should be introduced an alternation of the sugar crop with that of maize, that the Island may not be so wholly dependent on foreign supplies for food. He would even by law check the precipitate desire to extract the greatest immediate return from the land, which leads planters to neglect this prudent and ultimately profitable precaution.

That the immigrants prosper is proved by the fact that, within the year thus reported on, 60,000 of them had re-engaged themselves by fresh contracts with their first employers. In periods of distress, they have been known to accept lower wages than those contracted for, and to have postponed their receipt of wages, showing that the best feelings exist between them and the planters. In June, 1868, the number of male labourers employed on estates was 68,170.

The general result of immigration, with all its drawbacks, is described as "having since eman-"cipation quadrupled the population, and the "revenue of the island; more than quadrupled

" its production, and therefore its commerce; and " though, owing to the heavy outlay entailed " on the planters, not fulfilling the anticipations " of its promoters, yet having raised to comparative affluence hundreds of thousands of labourers " who in their native land had but a precarious " subsistence."

The " old immigrants," as the Indians are called who after their first year's residence settle in isolated bands about the country, have hitherto been an element of constant social disorder, as well as of disease, from their unhealthily crowding together in defiance of the habits and regulations of the rest of the community.

There were upwards of 63,000 emancipated slaves at the commencement of the apprenticeship system. The ex-apprentices, as in Jamaica, withdrew from the cane cultivation, or worked irregularly, squatting on patches of ground in the mountains, where they have gradually died down in numbers. Little was done to educate them, and they became utterly degraded, mentally and physically. Much, however, has lately been attempted for the recovery of this class of the population from their neglected and criminal condition.

During last year the Government found that it was absolutely necessary to bring the old unemployed immigrants under the supervision of the police. An Ordinance was therefore passed requiring them to register themselves, and to obtain

passes from the "Protector," which they are bound to produce on demand. They are further required to report themselves to the police in the district in which they reside, and to declare any change of residence. There are other provisions enabling the police to ascertain whether old immigrants have means of honest livelihood, and to detect any false representations on their part.

The Roman Catholic, Anglican, Scotch, and Independent communions receive annual grants of public money, in proportion to their numbers; but Sir Henry Barkly thinks that enough is not done for the negroes, and that more national effort is due to the object of evangelizing the Indians, who, now that their caste is broken and religious faith gone, are sunk in total ignorance and immorality.

Considerable public works, especially in railway construction, have been carried on; though, from unpropitious circumstances, with no present return to Government.

Sir Henry Barkly has asked for aid to improve the defences of Port Louis, and the matter is one deserving the consideration of the Imperial Government. Our garrison is estimated to cost 115,000*l.* a-year, towards which we now demand a contribution from the Colony of 45,000*l.*

Mauritius receives less, perhaps than any Colony, of direct aid from the Imperial Government for postal services. Canada, indeed, maintains un-

assisted a weekly mail between Quebec and Liverpool; British Columbia, between Victoria and San Francisco; and New Zealand, till lately, between Wellington and Panama. The Australian Colonies and India share the cost of mails with England. But Mauritius entirely maintains for itself a branch mail, meeting the English mail to India.

Seychelles, by its Commissioner's (Mr. Swinburne Ward's) last Report, is prosperous. The staple product, cocoa-nut oil, had been less exported, but only so because more locally consumed. Tortoise-shell, brought from near Madagascar, is one of the most profitable exports. Imports, the surest test of a country's internal prosperity, are steadily increasing, but a considerable part of them consists of wine, beer, and spirits, consumed chiefly by sailors from the men-of-war which are frequently calling. A deleterious spirit, illicitly distilled from the sugar-cane, is the ordinary drink of the people, in spite of the police; but a reduction of rum duties may perhaps succeed better in diverting them from it. Coral is so plentiful and easily manipulated that, even in building, it is superseding wood, which is scarce and dear. Unfortunately it is also filling up the port, and making dangerous shoals along the bank which stretches hence to Mauritius. The town of Victoria is greatly improved, and the land about it has doubled in value; and a settlement of titles and tenure, especially in relation to the Crown, has had the same effect over all the

islands. A road has just been made across the chief island, Mahé. The Commissioner's vigour has given a fillip to the industry of this little sub-dependency. Much of its labour has been supplied by captured Africans landed there, but at present there is great difficulty in finding suitable employment for them. Squatting has been suffered to increase, but is now checked by the regular survey, and settling of titles already mentioned.

As the goods consumed in Seychelles are imported duty-paid from Mauritius, it is difficult to decide whether this appendage of the Colony, taken by itself, covers its own expenses. Sir Henry Barkly thinks it does; and, if so, there can be no harm, and may be some good, in retaining it; but, if not, the coral alone would be decisive against undertaking its maintenance as having any indirect value merely as a harbour closed against rival nations on the route to India.

CEYLON

LORD GREY'S Letter (XI.) on Ceylon relates almost exclusively to the circumstances, causes, and conclusion of the insurrection which occurred during his administration, under the governorship of Lord Torrington. Coffee speculation had had its surfeit and revulsion. A financial crisis had been met by a parody of free-trade experiments going on simultaneously at home, and by a supplement of Lord Grey's favourite prescription of direct taxation, in which the priestly influence found fuel for reviving embers of rebellion.

Lord Grey very firmly refused the aid applied for by the Colony in the shape of remission of military payments: public works were not discontinued; and, not to rake up old controversy on the merits of measures taken, suffice it to say that the insurrection was put down, local burdens were lightened, and prosperity gradually recovered itself.

The rapid progress made by the Colony in commerce, in industry, and in wealth during the ten years (1852–62) which followed the period under review by Lord Grey, naturally led to a reconsideration of the engagement then existing

between the Home Government and the Colony as regards military expenditure. Under that agreement, the cost of the force stationed in the island, which amounted to about £200,000 a-year, was defrayed in about equal proportions from the imperial and local exchequers.

A Committee of the House of Commons of 1862 specially recommended that "the cost of the "troops in Ceylon should be in a greater degree "borne by the Colonial Treasury;" and this was also the view undoubtedly taken of the subject by the House at large. Mr. Cardwell, accordingly, in 1864, called upon the Colony to pay at once an increased annual contribution of £135,000, rising from that by £10,000 a-year until it reached the total cost of the troops stationed in the island; and he promised a Commission to inquire into the whole question of military expenditure and establishments, with the view of deciding the force to be maintained in the island in time of peace.

This demand led to the resignation in a body of all the unofficial members of the Legislative Council, who contended that there should be no addition whatever to the colonial military contribution until after inquiry by the Council. They expressed themselves willing to pay whatever sums might by that inquiry be pronounced justly due, whenever the finances of the Colony would admit of it; but they insisted that certain extraordinary items of taxation must be remitted before

the revenue could be justly charged with any additional military expenditure. It must be evident that if it had been left to these gentlemen to decide what the Ceylon military expenditure should be, and the time when the colony could conveniently take upon itself the whole charge, there would not have been much prospect of any speedy relief for the British tax-payers. Their resignations were accordingly accepted. An Order in Council was issued (March, 1865) declaring the Legislative Council legally constituted without them; and an ordinance was passed in the terms required by Mr. Cardwell. Subsequently the Legislative Council was reconstituted without the seceders, and reforms have steadily proceeded in their absence.

The promised Military Commission of Inquiry sat also late in 1865, and decided upon the force to be maintained in the island in time of peace, and the cost of it, which was fixed at £160,000, and this sum has been appropriated to the Home Government by a permanent Ordinance of the Legislative Council. This amount was fixed upon the very liberal capitation rates of £114 for each artilleryman, £100 for each European infantry soldier, and £64 for each Native infantry soldier stationed in the island. These rates are sufficient to cover all home and local expenses—effective as well as non-effective—of the force quartered in the island. Ceylon, therefore, now stands alone amongst

British Colonies in this respect. It is precisely on the same footing as our Indian Empire, and has relieved the British tax-payers of all charges of every description connected with the troops stationed in it during time of peace.

The settlement of this long-vexed question enabled Her Majesty's Government to place greater financial power in the hands of the local legislature. A despatch of Lord Grey has been much quoted as a pledge to give unreserved control over all expenditure to the Legislative Council. What it really expressed was, a hope that the time had come when such control might be extended. The Home Government has now relinquished the right formerly exercised of making appropriations by simple order of the Secretary of State, and has promised that every item of colonial expenditure shall for the future be based on local legislative enactments. Of the annual revenue of nearly one million sterling, only about £400,000 is appropriated by permanent Ordinances for civil and military expenditure. The remainder is annually submitted for the decision of the Legislative Council in the yearly appropriation Ordinance. The Home Government has now also conceded to the local legislature the right of disposing of surplus balances, within reasonable limits, without previous reference home, as fully as is done in the case of annual revenue.

The Imperial demands as regards military

expenditure, and the consequent resignation of the unofficial members, led to some local agitation and to the formation of the "Ceylon League," for the purpose of securing changes in the constitution of the Legislative Council. Lord Torrington had allowed the "Chamber of Commerce" at Colombo to recommend for his nomination the European portion of the unofficial members of council, and so to exercise a modified electoral power. The demand now put forth by the League was for a majority of unofficial members on all questions of finance, so as to secure to them "full "control of the disposal of the local revenues, "freed from the dictation of the Governor or the "Secretary of State." Such a demand was inadmissible. The population of Ceylon consists of about two millions and a half of Asiatics, whilst the unofficial European community numbers only about fifteen hundred.

The change proposed would have practically amounted to setting up a specially interested oligarchy over the Governor, who, in a Crown Colony such as Ceylon, is individually charged with the whole administration of the government. Lord Carnarvon replied to the demand of the League, that "as it was impossible to establish "in Ceylon any legislature which should really "represent the population of the country, Her "Majesty's Government did not feel at liberty "to abandon that control over the revenues and

"legislation of the colony which was given "to them by the present constitution of the "Legislative Council."

This answer, though short, really went to the root of the whole matter.

Subsequently the Ceylon League moderated their demand, and asked only for an equal number of unofficial and official members, leaving a casting vote with the Governor. But for a Council of advice, giving utterance to the wishes and wants of the unofficial community, securing publicity and discussion with respect to all measures of legislation, and bringing public opinion to bear upon the Government, an equality in number between the two kinds of Councillors (the official and unofficial) is not necessary; and would be obviously suggestive of mischief, as pitting the two in apparent antagonism against each other, and making the Governor arbiter between them.

If the government of the country must be in the hands of the Crown, and if all feasible objects compatible with this are secured by the present arrangement, why reduce the power of the Crown to a casting vote? When a locally-predominating power is to be exercised, it is better that it should not prevail by, as it were, the mere dust of the balance, which implies a constant equipoise of contention, but rather by a decisive preponderance, admitting of a conciliatory deference on the part of the Government to a minority in the Council. So

much for the proposal, assuming even that it secured to the Government always a casting vote. But practically, an equality of official and unofficial members might often present against the Governor a majority on the unofficial side, and transfer the controlling power, which in theory he should possess, to his Council, while he would be reduced to the alternative of being responsible for measures he condemned, or of vetoing acts of his advisers.

For these reasons the Duke of Buckingham declined to entertain the application of the League for an equality of official and unofficial members, no necessity whatever for any change having been made out. Indeed, it may be mentioned that, in an address presented to the Throne by the Legislative Council in 1862, deprecating the transfer of the Colony to India which had shortly before been suggested in the House of Commons, and the general dread of which bore in itself high testimony to the merits of the government, it was stated that "the "people of Ceylon are well satisfied with the ex- "isting form of government, which has secured "to them a fair representation of their various "interests. . . . Since the cession of the maritime "provinces in 1796, and within less than half a "century after the conquest of the Kandyan ter- "ritories, the marked progress which the Colony "has made in material prosperity, and the peace "and good order which contrast so strongly with "its previous troubled state, can be attributed

" only to the wise and liberal measures of Your " Majesty's Government, zealously carried out by " local authorities, who have well comprehended " the wants of its inhabitants, and have sup- " plied them, by prompt and judicious measures. " Under the fostering influence of good laws, " and the encouraging aid of a local administration, " enterprise has been stimulated, and a vast com- " merce established, by which Ceylon has been " raised to the rank of one of Your Majesty's " most important colonies."

Again, the Ceylon League, in their manifesto of 1865, when advocating a reformed Council, contrasted the condition of the Colony in 1833, when the Council was first constituted, with its present state; and show most conclusively, though unconsciously, that the Colony during that third of a century, under its existing constitution, has advanced with almost unexampled rapidity in agriculture, commerce, and social improvement.

It could hardly be maintained, in the teeth of such confessions, that the present constitution of the Legislative Council has proved any bar to the prosperity of the Colony. Advancing times may suggest advancing improvements; but the demands of the past have been adequately met. As yet no proof has been given that the constitution is not adapted to the political condition of the community, and the statistics of the seventeen years which have elapsed since Lord Grey's administration (1852 to

1869) show most incontestably during that period a rapid material and social progress. In proof of this, in a brief review of this kind, it is merely necessary to observe, that the inland revenue, without any additional taxation, has nearly doubled since Lord Grey's time, and is now about a million sterling. The island trade (inwards and outwards) is estimated at ten millions; whilst the exports of coffee alone have reached an amount of one million cwt., and a value in London of more than three millions sterling.

This improvement is in a great measure due to the strenuous efforts which for many years have been made by the local Government to open up the country, by extending and improving the means of communication throughout the interior. Vast sums have been expended in a railway from Colombo to Kandy; in new roads and bridges throughout every part of the island; and in the improvement of the channels of inland navigation. Much attention, too, has lately been directed to the important subject of irrigation; and a scheme has been adopted for the extension of rice cultivation, which it is hoped will prove a great success, and render the population less dependent than it is at present upon imported food. The police also, and nearly all the more important civil establishments, have been remodelled upon a basis more suitable to the growing requirements of the Colony.

But whilst endeavouring to extend agriculture,

to increase the facilities for locomotion, and to provide for order and efficient government, the local administration has not lost sight of measures for the social improvement of the people. Municipalities have been established in the principal towns of Colombo, Kandy, and Galle. The relations between the employed and the unemployed have been regulated by a labour Ordinance, which is admitted on both sides to be just. A system of registration of lands, and of births and deaths, has been established. The deplorable condition of the prisons and hospitals is undergoing reform; and, above all, a scheme has been matured which it is hoped will eventually place a sound education within reach of the great bulk of the population.

Still there are further improvements needed. The want of a correct census, and of reliable agricultural statistics is greatly felt. Indeed, in the absence of these, the Government is, in its efforts for the amelioration of many existing evils, merely groping in the dark. The procedure in civil and criminal law-suits; the state of the currency; the insecure condition of Galle harbour; the position of the serfs on Temple lands; and the feasibility of substituting an acreable land-tax on all private lands, in place of the present import duty on grain, are all questions which it is believed are now attracting the careful consideration of the local Government.

STRAITS SETTLEMENTS.

ALMOST the first thing I had to do, on coming into the Colonial Office in 1866, was to introduce into Parliament the Straits Settlements Bill, which empowered the Queen, by Order in Council, to transfer our three Stations on the Straits of Malacca from the Indian Government to the Colonial Department at home; and they were erected by charter into a Colony, for which a Legislative Council was created much on the model of that at Ceylon. I cannot say that the task was a grateful one to me, but it came so nearly completed to our hands that there could be no question about concluding it.

For several years the Bengal Government had been desirous to get rid of these out-stations; and the feeling was mutual, complaints having constantly come from them of the taxes imposed on them by India, nor would they like now to return. The Home Government admitted that, as entrepôts of commerce, and military and naval depôts, they were of Imperial value, and the conclusion seems somewhat hastily to have been deduced that their maintenance should therefore rest ultimately on the security of the Home rather than the Indian treasury. The only doubt entertained was whether

their government entailed any ultimate liability at all, or whether their revenue would not so certainly cover their expenditure that the question was merely one of control and not of cost; and this point had been under discussion since 1859, and was supposed to be finally and satisfactorily disposed of. For my own part, I confess, I was never satisfied on either point. I do not believe in the probable costlessness of the Straits, nor in the fair chargeability of England. Even if the income of these Settlements was made equal under Indian Government to the expenditure, will it be so when the Mother-country takes the task in hand? On the other hand, even supposing Singapore, Malacca, and Penang to be Imperial entrepôts of commerce, I am far from coming at once to the conclusion that they should therefore be governed from England, or that they were misplaced in 1852, as a separate government under the supremacy of India, still more so since the transfer, in 1858, of the East India Company's powers to the Crown. True it is that the United States' Government are trying to possess themselves of islands and naval stations all over the world, even in these cosmopolitan days, for the security of their own commerce; and are said to be now in treaty for the purchase of a Malay island in the neighbourhood of the Straits, for which Congress would pay from the general revenues to which every State contributes. But there is no inference from such

an example in favour of the principle attempted to be set up in British policy that whatever is of Imperial interest should be undertaken at the cost of the metropolis. I hope the time is coming round again when all parts of the Empire will take their share in Imperial maintenance, as India has been used to take hers. Why the Straits Settlements, as well as Ceylon, should not be treated in these matters in the same way as India, and in connexion with India, no one has yet given any reason. The Andraman and Nicobar Islands of pirates are still considered to be under Indian jurisdiction, yet one would think their control came more naturally under the care of the Mistress of the seas than the ordinary government of her distant children. However, the India Office persuaded the Colonial Office to take the Straits Settlements off their hands, and satisfied them that they would find them self-supporting, by the evidence of past accounts which is already beginning to prove fallacious. The chief feature of the transfer has been a needless, if not injurious, change of officers, under the pretext of adapting the government to its new department; and increasing military expenditure already inaugurates the reign of the more magnificent paymaster. The Colonial Department adopted all the uncovenanted service, but only some of the covenanted, the rest being either taken back or pensioned by India, while new men were put in their place.

It is a question whether there is any practical advantage to England in retaining, under whatever government, all these three Malay stations. Singapore, the most recently acquired, first occupied in 1819 under the Governorship of Sir Stamford Raffles, is the most important in its situation, and capability both for commerce and warlike purposes. Its insular position also frees it from Malay complications. Malacca, the oldest European occupation, ours by conquest since 1785, is on the Malay peninsula, and has lost its commerce. It is said to have agricultural and tin mining capabilities, but it may be questioned how far our official connexion will serve to develop them. The system of land-tenure is what most needs improvement for the development of the resources of the country. Penang, insular itself, but held together with the sub-province of Wellesley, which is indefinitely distinct from the Quedah Rajahship, may compensate for the cost and troubles of government and our yearly tribute to the Rajah, by its position at the north extremity of the Straits, commanding its entrance. But the triple government is excessively costly, cumbersome, and overburdened with administration, as a glance at the 'Colonial Office List' will show. The support of the Chief at Singapore by Lieutenants at such short distances right and left of him, is an apparent surplusage of government. The necessity of such a multiplication of establish-

ments requires proof. The palaces of the Lieutenants at Penang and Malacca might at any rate receive the Chief at his yearly visits as their guest, if personal inspection is wanted to ascertain that they have been doing his behests in the intervals. But are they wanted at all? The distance from Penang to Malacca is 240 miles, and from Malacca to Singapore only 120; and a steamer is almost always at the Chief's disposal, kept by the Admiralty for only the occasional visitation of lighthouses. I believe the Lieutenant-Governorships of Malacca and Penang to be worse than wasteful establishments, and that one Governor should undertake all our Stations in the Straits, by which sole undertaking he would be better able to hold his own, and less tempted to become intrusive on others.

The Dutch were put in possession, by the Treaty of 1824, of all the British acquisitions in Sumatra; the East India Company being glad to get rid of what cost them four times as much as they received, and the English being glad to get Malacca and certain Indian settlements in exchange; so that now the Malay side of the Straits is practically ours, and the Sumatra side Dutch. Probably the whole of the great and rich island of Sumatra will gradually come under Dutch protection or occupation. We have no interest against such an event, if our transferred treaty be kept faithfully with the Sultan of Acheen, and if we can secure to ourselves from the Dutch and their

allies perfect freedom of trade, the abolition of differential duties and port-dues, and the opening of the coasting trade. If the Dutch Government are sufficiently enlightened and able to maintain these conditions with us, we should probably prefer them to any other Power in our neighbourhood. On our side of the Straits we made, by the Crawford embassy to Siam, in 1824, friendly relations with the northern Malay Rajahs near Penang, who are more or less dependent on Siam—those, namely, of Calantan and Quedah. The southern Rajahs, such as the Chief of Johore, are independent, and in treaty with us, both as to commerce and boundary; and Malacca and Singapore are almost the only outports to foreign trade. The Rajah of Quedah lately attempted to levy duties contrary to treaty on cattle imported into Penang; but a correspondence with Siam, through our consul at Bangkok, has brought the tributary to terms. The Governor of the Straits, Sir H. St. George Ord, has recently visited Java, where he has been settling, it may be hoped, the complete admission of British trade into Sumatra.

On the Straits Settlements becoming a Crown Colony, the exact date of which event was April 1st, 1867, changes were made both in the judicial, and in the military arrangements. The Supreme Court was modified, but apparently so as to give little satisfaction; and we gave still less satisfaction by fixing the military contribution, to be

made from the united revenue which amounts to 200,000*l.*, at 59,300*l.* It was proposed that the garrison should consist of a wing of an European regiment, six companies of Ceylon Rifles, and two batteries of Royal Artillery, of which aggregate force 880 men were to be considered the complement for local duty, and any excess above that number, now amounting to 200 men, were to be considered an Imperial depôt. From time to time detachments may be required on neighbouring service—some, for instance, were sent very recently to the Nicobar Islands—without necessitating the temporary deficiency being made up. The question, however, of the nature and strength of the garrison for colonial purposes has not yet been definitively settled, and it is most probable that, instead of Ceylon Rifles being stationed there, a local force, either of irregular infantry or of armed police, will be substituted. The Governor, and the Chief Officer commanding on the Station are now considering the matter. Military buildings were transferred to the War Department by the Indian Government on the withdrawal of their troops.

In a late report from the War Office the ordinary purposes of the garrison are stated to be for defence against any piratical or privateering attack on the Stations, and for the preservation of internal order. For the latter purpose it is the opinion of some authorities that another kind of force might serve better, such as irregular Indian corps; but it

is a question whether they would be cheaper. Under the Indian regime it was part of the duty of the troops to guard the public offices, the gaols, and other like buildings. Their guard duty would be too severe, and unsuitable for European troops; and it is wholly inadmissible that such a force as the Royal Artillery should be used as a support to native police. The municipalities ought to impose much of the ordinary guard duty on police of their own. The military contribution which we demand might then be larger than mere local defence would require, but it is not more than such Stations should render to the service of the Empire, their connexion with which gives them the means to pay, and ample advantage in return.

The press and a "Settlements Association" have made severe reflections on the cost of the new government, and especially of the military. No doubt the taxation of these Stations is heavy, and was heavy under Indian government, particularly at Singapore; but duties were thrown by India upon their commerce, and, as all the ports are now free, we may hope that trade will soon create wealth enough to bear easily the revenue which must be derived from it by excise and direct imposts. I have suggested the possibility of a reduction of the expense of government; but, whatever is decided by the Imperial Government to be the necessary military force to be kept permanently at the Straits, it should be borne in mind that it is chiefly

kept there for the protection of the Eastern commerce which resorts there, and that there could be no value in the government without a sufficient force for its support; and if the commerce so protected cannot cover its own insurance it had better be abandoned. The only question, therefore, is whether the cost of government and military can be brought within due proportion to the worth of the objects for which the Stations are held, and defrayed from their resources.

There are desires also expressed for a modification of the form of government, so far as to equalize the number of the unofficial and official Members in the Council; but the proposition seems open to the same answer here as in Ceylon, namely, that the Council is merely one of advice, and that it is not desirable to pit the two sections in equal antagonism, with the Governor's casting vote isolated between them.

In consequence of recent Chinese riots at Penang, Acts have been passed "for the better "preservation of the peace," by which powers have been given for the institution of a special constabulary, and for the deportation of convicts. Transportation from India to the Straits, which was one of the grounds of grievance against the old Government, will cease in 1870, and the convict establishment for that purpose will be altogether closed on the 1st of April, 1873. That from China ceased in 1850, owing to the strong feeling

expressed against it; but Ceylon still sends some convicts to the Straits; and the Straits, under the sanction of the Imperial Government, send some of their criminals to serve in public works at Labuan, at the request of the settlers there.

The transfer of these Settlements from the Indian Government to the Colonial Department necessitated also their ecclesiastical transfer from the diocese of Calcutta, and they will probably be placed under the Labuan episcopate, which will thus extend its supervision over four clergy, instead of one—the chaplains, namely, in the four seats of government. The missionary aspect of the episcopate, *in partibus infidelium* of Borneo, was, I fear, little encouraging to the active exertions of the first Bishop, Dr. Macdougal.

LABUAN.

From the Straits we pass to the Island of Labuan, situate six miles off the North-West coast of Borneo, which was ceded to Great Britain by the Sultan in 1846, and taken in hand from the double motive of promoting commerce, and extending civilization. Of the former object Lord Grey says :—"On our accession to office, we found that "memorials, earnestly praying that Labuan might "be occupied with a view to opening a commercial

" intercourse with the large and imperfectly known " Island of Borneo, had been addressed to the " Government by the Chamber of Commerce of " Manchester, and by the merchants of London and " Glasgow." (II. 265.) Of the latter object, he adds :—" Sir James Brooke, so well known for his " philanthropic and enterprising attempts to intro- " duce civilization into Borneo, was appointed " our Consul there, and Governor of Labuan."

The Dutch were the only Europeans who had previously made any settlement on these inhospitable coasts, which are scarcely anywhere indented so as to give access to the interior, or capable of affording more than a very precarious shelter to pirates.

Lord Grey, after seven years of official experience, says " the advantage derived from this " settlement has not been so great as was antici- " pated." Certainly, now that a coal-mine has been found to be the sole commercial result of the settlement, and no faith remains in the effect of Government civilization, the only wonder is that he should ever have anticipated any adequate return for the civil, judicial, and episcopal establishment which was set up in Labuan.

The Company to which the Crown leased a part of the coal-field, soon languished, chiefly owing to their unfortunate choice of an Agent; but in the course of last year we assisted their re-establishment on a sounder footing, under a new directory; and,

now that the Admiralty have at last found it possible to use the coal, and have ceased to bring coal from Wales to their ships near Labuan, the speculation may to some extent succeed.

The present Governor, Mr. Pope Hennessy, has, in the short time since Lord Carnarvon entrusted him with this little Government, made it at all events self-supporting. Increasing trade enabled him to impose new taxes, though, the port being free, he could make no revenue from customs. Further trade has been opened in camphor, pearls, gutta-percha, birds'-nests, bees-wax, and sago. The Governor has established a police, a fire-brigade, a water supply, a hospital, and schools —indeed, as Napoleon in Elba, he has said to himself, "Even here something may be done." In 1863 the local revenue was 2086*l.*, and the expenditure, exclusive of that on troops, was 7430*l.*, the difference being made up from England. Mr. Hennessy has made the island support its Governor, Chief Justice, and Bishop, and we are no longer taxed to support a colonial establishment for a failing coal-mine and a hazy shadow of philanthropy in the Eastern seas.

What are enumerated as "public works," conducted under this Government, have consisted of clearing and draining a plain adjoining the town, and constructing a road, five miles long, through a jungle to the coal-mines. Her Majesty's gunboats are employed to keep down piracy. To meet

the want of labourers, Coolies have been imported from China; and, at the Governor's request, a certain number of convicts have been sent from the Straits, to work on the roads, and in lading vessels with coal. The convicts have earned three times as much as their cost to the public.

Sir James Brooke, shortly before his death, offered his Rajahship of Sarawak to the English Government, but his offer was declined. It seemed of neither sufficient political nor commercial importance to tempt us 450 miles inland from Labuan, and we had found Asiatic Stations already too burdensome financially. Sarawak imports coal from Labuan, and is worth more to the Crown as a foreign customer than it could ever become as a subject. It certainly lies on our route to China, but there seemed to be no use in our multiplying posts between Singapore and Hong Kong. The French post, Saigon, is on another route. It is remarkable, that when the United States' Consul in Borneo consulted his Government about a cession offered by the Sultan, they instructed him to refuse it, saying that "they would have no settle-" ments in a country inhabited by a race speaking " a different language from their own," curiously applying the Monroe doctrine *e converso* to the outer world. The American Consul lately asked our Governor's assistance to arrest a "citizen," who had without authority set up the stars and stripes over a slice of the Bornean coast. The

occupation collapsed, however, without the necessity of resorting to any force.

There may be some question whether our first outlay in establishing a government to keep order for a coal company at Labuan, has not been a handsome present to the rest of the sea-going world. By the time we have made a thriving concern of it the Americans will be able to get what they want of the coal, just as well as we, perhaps will rent a wharf of us, with a Yankee eye to business, while our Admiralty are still debating whether the coal for which we have paid so dearly is really fit to use: and whenever war may arise, the entire ownership of the place will certainly fall to whichever nation happens to have most ships in the neighbourhood.

HONG KONG

is a Chinese island, about a mile off the south-eastern headland of the Canton river, and 40 miles from Macao which stretches across the estuary. It was ceded to England by the Treaty of Nankin in 1842, and was occupied solely as a depôt for commerce in that part of the world. The harbour of Victoria is of the amplest kind, and the possession of the opposite peninsula of Kowloon, ceded to us by a subsequent Treaty of Lord Elgin's in 1861, has completed it as a secure naval station.

The first occupation of Hong Kong was very expensive to this country, irrespectively of its military establishment, and its commercial value did not for some time at all answer expectations. Lord Grey says (II. 263) :—"If the exceedingly "large amount of the expense it occasioned, and the "limited use of which it proved to our commerce, "had been foreseen, it may well be doubted whether "it would have been thought worth while that it "should be taken possession of." He, therefore, only thought of reducing the expense of the establishment "which had been formed on a scale "suited to its supposed importance as the great "emporium of the Chinese trade;" and, by stopping public works and withdrawing some of the troops, he brought down the annual charge on the English Treasury for Hong Kong, from 50,000*l.* to 15,000*l.* The trade has, however, largely increased, and though our merchants have had the Chinese ports since opened to them, and much of our commerce is therefore carried on in them, yet the tonnage entering Hong Kong alone rose from 626,536 tons in 1859 to 1,063,252 in 1866; and now, counting the coasting trade and junks, nearly three millions tons of shipping enter Victoria in a year.

The value of the trade can only be thus roughly estimated, as the port is free; but Hong Kong has, no doubt, though without products or manufactures of its own, become a vast centre of Eastern com-

merce in a great variety of goods, such as opium, sugar, cotton, salt, &c., and the chief tea and silk trade is controlled by a Company resident in Victoria. The entire foreign trade of China was estimated, in 1866, at 95,000,000*l.*, of which 71,000,000*l.* was British. Recent stagnation of trade all over the world has unfortunately checked the advancing spirit of improvement at Hong Kong, and compelled the Governor again to economize expenditure in very needful public works. Sanitary operations were suspended. A Committee of the House of Commons had to inquire into a great mortality among the troops, which was shown to be entirely owing to malaria arising from opened and unfinished drains.

The population of the island consists of 150,000 Chinese, and 2000 English and Americans. The revenue, raised by direct taxes, and lately augmented by a much-resisted stamp-tax, which produced 190,000*l.* a-year, is really no more than a fairly proportionate levy to meet the increased expenditure of a more thriving community. In 1859 all grants in aid from England ceased, excepting for the cost of the military, towards which the island is now made to contribute 20,000*l.* a-year, which is a moderate quota for such a Station to the general requirements of the Empire. The Queen's troops are, however, neither fitted to co-operate with the local police, nor capable of the ordinary guard duty in such a climate.

Situated so close to a part of China specially infested by inveterate pirates, this Station has presented to the handful of English occupying it considerable difficulties of administration. The Governor, Sir Richard Macdonnell, has, however, succeeded in doing much to repress the extraordinary amount of crime, and to reduce the excessive number of criminals: in the first place, by an improvement, and increased severity, of prison discipline, and use of corporal punishment; and in the second place, by a registration of junks, in which kind of craft, made for coasting trade, piracy is chiefly carried on, and many of which, till lately, were actually built and equipped for this purpose in Hong Kong. He also obtained an Ordinance for disarming native vessels, so far as could safely be done without depriving honest traders of necessary means of defence. A registration of householders also had the effect of scattering many of the piratical junk owners to the more congenial pandemonium of Macao. Further, the Governor licensed certain gambling houses, and placed them under strict surveillance, as a first step towards mitigating the evil, and in hopes of at once thereby abolishing the most licentious practice of this inveterate Chinese vice.

The police, which was itself an engine of demoralization by habitual extortion and connivance, has been reorganized, and has had its most corrupt constituents, the Bombay sepoys, dismissed, and

only partly replaced by Sikhs, a smaller strength altogether now doing the whole service more efficiently. Six sergeants of London police were sent out about the close of 1866 to improve the discipline of the force, and application is made for more European officers.

The weakness of the neighbouring Chinese Government is an additional source of embarrassment to our Government, from its want of power to give any effective co-operation in the suppression of crime. (Reports, Col. Possess., 1868.)

A new Court has been established, in which the Senior Naval Officer sits as Assessor with the Judge, to try piracy cases, without a Jury.

The Chinese Government engaged itself, in the treaty of Tien-tsin, to concert with us for the suppression of piracy, and information came in September, 1866, of a joint expedition of English and Chinese having been satisfactorily and creditably conducted. But Chinese co-operation is never much to be relied on, especially in the suppression of a trade in which probably Mandarins are as much engaged in employing as in hanging or crucifying the ostensible actors. We have invited France and the United States to contribute to the formation of a joint permanent squadron till piracy is effectually extirpated—a task which we undertake singly in many quarters for the benefit of the rest of the world. Probably the best sort of contribution we can get from China to this under-

taking will be the pay of a certain number of our own gun-boats in such a squadron; in the same way as we have allowed 5000*l*., out of the military contribution of Hong Kong, fixed in 1865 for five years at 20,000*l*. a-year, to represent a contribution from the Colony of one gun-boat. The Governor of Macao has expressed a readiness to co-operate in this work.

The exact extent of our own jurisdiction is left somewhat uncertain by the absence of definition of boundary, and even of mention of the adjacent islets, in the convention made at Pekin in 1860; so that there are gangs of robbers in whose way to the gallows stand niceties of principles about international rights *in mediâ aquâ* of narrow seas, and the claims of each nation within three miles of its own shore.

But the abuse of extradition, or rather of rendition to torture, of pirates taken within Chinese waters, calls loudly for a revision of the treaty of Tien-tsin, and is decisive against our renewing it without modification. The instructions to our Officers are not to give up prisoners without a distinct engagement that they shall not be subjected to torture; but the invariable Chinese process of trial by extorting confession utterly sets at nought all such guarantees.

By the 27th Art. of the Treaty either party may demand its revision at decennial intervals, and, besides the above-named reasons for revision,

there are now additional objects in view, namely, a reform of the tariff, the general opening of ports, and better conditions for Coolie emigration.

Sir Hercules Robinson, the present Governor of Ceylon, established a Mint during his government at Hong Kong, calculating that whichever way the balance of trade might turn, there would always be such a demand for coined silver as to support a mint on a moderate seignorage; but after various experiments in coinage, and a reduction of seignorage to one per cent., it was found the habits of the Chinese prevented any sufficient demand, and Sir Richard Macdonnell has been fortunate in getting the Japanese to purchase the whole concern.

By Letters Patent, of the date of May 11, 1849, the Bishopric of Victoria was constituted, under the powers of the 6, 7 Vic., 80, "For the better "government of Her Majesty's subjects resorting "to China," for the spiritual superintendence of the clergy and laity of the Church of England in Hong Kong, in its dependencies, and in any part of the Chinese Empire. It is now in contemplation to limit his authority to the 28° N. lat., and to appoint another Bishop *in partibus* of Ningpo, for the benefit of the heathen, and more distant English residents in Upper China.

The government of Hong Kong is suited to the character of the Station, as a mere commercial depôt. It is placed entirely in the hands of the

Governor, and a Council of ten nominated by him, four of whom are unofficial.

The Judicial establishment includes a Supreme Court, and Chief Justice.

ST. HELENA,

an island 1200 miles off the south-west coast of Africa, was granted to the East India Company by a Charter of Charles II., and only taken in hand by the British Government from the Company so lately as 1833.

It is well watered with delicious springs, and ships call here on their homeward voyage to take in water and fresh provisions, the supply of which constitutes the trade of the place, and the sole use of the Station. In the month of August, by the last Report, ninety sail put in for supplies.

We keep troops there to the strength of 450 men. The only material defences of the island, till lately, were some old guns placed on the wharf of James-Town, but some new guns have now been mounted on the heights above. There is a population, including military, numbering 6400; and the revenue, chiefly raised by port dues, amounts to 32,000*l*. The pensions of the East India Company's servants are borne on our estimates, and aid was granted last year by Parliament for the repairs of public buildings destroyed by

the white ant. The merchants are now asking for a modification of the tonnage duty on ships calling for small supplies. There are imports to the value of 118,000*l.* a-year; but the exports little exceed 20,000*l.*, being chiefly supplies to ships.

The disproportionate list of civil, ecclesiastical, and judicial establishments which has long existed for this little watering Station is very characteristic of our old system; but lately, by leaving vacancies unfilled, and giving two or three places to one man, the list of appointments is reduced to more practicable dimensions. The Chief Justice, for instance, is chief only of himself in other judicial capacities, and the Police Magistrate and Postmaster act as Colonial Secretary and Auditor; and the Rev. Mr. Whitehead undertakes for 60*l.* a-year the Chaplaincies of the Forces, and of the Gaol; having, with two other clergymen in the island, a Bishop for superintendence, who wants Her Majesty to set up for him an Ecclesiastical Court of jurisdiction over them. There was an establishment of liberated Africans here, which has been lately broken up.

The hospital receives aid from the Board of Trade, for care of sick seamen, to the amount of the excess of their cost over their wages paid in.

The "Union Steam-packet Company" contracts for the postal service out as well as in, receiving the entire postage on all letters, except those of

the army and navy, on condition that their vessels touch at St. Helena regularly once a-month.

On the whole the Station is a desirable one for a great commercial nation like ours, though none of its expense should fall on the tax-payers of England, but by economizing the establishment, the whole cost might be brought within the local and commercial taxation; and the municipal expenditure, such as that on the gaol and police, should by rights fall not on the shipping interest, but solely on the Islanders.

The defence of the island being entirely a naval question, no more land protection should be provided than might be required against a piratical attack; and it seems doubtful wisdom placing a garrison there, which in regular war would be prisoners if we had not the command of the sea, and useless if we had. Be it ever remembered that Napoleon vainly regretted having placed 2000 of his soldiers in the Ionian Islands, where the English fleet shut them up, during the great French war.

Ascension Island is a British possession, under the control of the Admiralty, lying north-west of St. Helena, 10° nearer the Equator, that is, half way to it.

THE FALKLANDS

are two large, and several smaller, islands off the south-east extremity of Patagonia, in latitude about as far south of the Equator as England is to the north of it, and cursed with no such inclement climate as Lord Grey attributes to them, but remarkably healthy, though, like most of such islands, exposed to winds which stunt all vegetation but grass. They have been successively occupied and abandoned by the French, Spaniards, and Buenos Ayreans, and were finally taken by us in 1833.

Lord Grey gives Lord Russell the credit of having, during his previous Secretaryship, established British government here, for the convenience of commerce, as a place of call for ships on the route from Australia round Cape Horn. Admiral Elliot has lately reported that these islands are increasingly so used, and now more especially as a coaling station, for which purpose the United States Government have asked to be allowed to make a wharf for themselves, proposing to take the ground on lease. The protection of the whale fishery was one of the original objects for which the Station was made.

The southern part of the isle of East Falkland was granted to M. Lafone, a merchant of Buenos Ayres, in payment of a royalty on the wild cattle he might kill, which were supposed to belong to the Crown. Lord Grey anticipated a revenue

from these licence-fees sufficient to relieve materially the expense of government. M. Lafone's Falkland Company, however, afterwards obtained a judgment against the right of the Crown, which was confirmed on appeal to the Judical Committee of Council. The fees, and fines, and sales of forfeited hides, already received by the Government, had therefore to be refunded by Parliament, besides the costs of the suit; and the annual deficit of Falkland revenue, which had existed even during these receipts, increased to this extent its item in our last year's estimates. Leaseholders as well as freeholders may henceforth kill the wild cattle on the land they hold, without any acknowledgment to the Crown.

New regulations have been made for the disposal of Crown lands, which have already led to the whole of East Falkland being taken up by private individuals for sheep farming, and West Falkland is now open for applications.

The usual expenditure of the Government is nearly 7000*l.* a-year, towards which about 1100*l.* is all that is raised in the island. The Governor, Mr. Robinson, in his Report, dated July, 1867, expresses a hope that what he calls this "Colony" will eventually support itself, instead of throwing two-thirds of its expenses on the tax-payers of England. Pastoral occupation must, however, first extend over it; and increasing population, now only 600 in number, must reduce wages below

their present minimum of 5*s*. a-day. The land is not such as will ever want many labourers for agriculture.

Mr. Robinson considers that a *quid pro quo* for the cost of this Station is gained by the "Empire" (that is, the English who pay), by a great saving of life and property from shipwreck. He describes it as an increasing resort for shipping, and quotes Admiral Hastings as recommending every ship bound to the Pacific to call there for its excellent supplies. It appears, however, from returns, that during 1865 only fifteen vessels called for repairs, twenty-four for provisions, and thirty-one for ordinary trade.

On the whole, the Governor admits the necessity of a cheaper style of occupation of these islands, and that the Government establishment should be stripped of superfluous officers, such, for instance, as a Surveyor-General or a Public Vaccinator. He recommends also an amalgamation of offices, as a means of both economy, and greater efficiency. The islands must no longer be treated as a Colony, but simply as a coaling Station, nor can there be any objection to letting wharfage for coal to other nations. The government must be made self-supporting, and we have already insisted on the whole cost of provisioning the garrison being charged on the local revenue, besides the extra colonial allowance.

In 1866 marines were substituted for the former garrison of military.

A dock has been proposed to be constructed, with aid under the provisions of the Colonial Dock Act, such as might be available for our ships of war.

A "South American Mission" lately applied for one of these islands, on which they might by profits of farming get means for missionary work throughout the group, and on the neighbouring continent. They at first wanted a Bishop, but afterwards modified their scheme. The Government, however, declined to deal with them otherwise than as with any other applicants for land.

One hardly sees sufficient advantages to induce England to hold this Station for the commercial world, unless it can sustain itself.

HELIGOLAND

is an old Danish island, twenty-five miles off the mouth of the Elbe. About an area of three-fourths of a square mile is as much as remains of it unwashed away; and a shoal of sand on the side towards the German Ocean marks where a former headland stood, on which now an extensive bulwark is being constructed against further encroachments of the sea.

In the French war it was a great resort for smuggling; and the inhabitants are now devoted to wrecking, and plunder of merchants chiefly our own.

The only export, now conducted by the loca Government, is of oysters. The island has become, since 1830, a German bathing and gambling place, the residents adding the rents and plunder of the season to their profits by wrecking at other times.

The government expenditure is not covered by the local revenue, but presents a balance for John Bull to make up of about 1000*l.* a-year, including the interest on a debt of 6372*l.*, which, however, is in gradual process of liquidation.

The revenue, of about 3500*l.* a-year, consists of a few ground-rents, a large rent for the play-tables, and a number of miscellaneous receipts.

English fishermen have lately made a considerable rendezvous of this island, which has added somewhat to its means, and much to its troubles. The Governor has introduced a light taxation on personal property, and a tax upon wine and spirits, which, with the reorganized oyster-fishery, may in better times bring up his revenue to the necessary requirements of government.

The constitution of government was granted by Order in Council in 1864, and is something like the Guiana model. The wretched salary of 500*l.* a-year is paid to Colonel Maxse, who has ably conducted the most difficult affairs of the Station with the aid of an Executive and Legislative Council of thirteen members, and with the constant opposition of twelve elected Representatives, who meet them in Combined Court, in "Conversa-

" tion House," empowered to ratify or reject any Ordinances which impose taxes, or appropriate public money. One treacherous Councillor can give the elected Representatives a majority, rendering the proposition of the most needful tax, or of any restraint on wrecking, a nugatory effort. Yet the Governor affirms that the reform of 1864 was a very great improvement on the former state of things.

A certain Councillor Stoldt, however, brought things to a pass, and the *dignus vindice nodus* having arrived, the Duke of Buckingham spent the official holiday at Whitsuntide, 1867, in startling the Islanders by a visit in the 'Enchantress.' He heard the complaints of the Assembly, who had memorialized him for a revival of the old constitution; and of the Burgher Committee, who in fact were the same gentlemen in a municipal capacity; and he told them that a revival of the old constitution was out of the question, but that whenever he should be informed of their raising taxes sufficient to cover the necessary expenses of their municipal and general government, including their debt, and of their observing the laws, their Charter might be secured to them beyond its stipulated term; but that without these conditions their powers of obstruction of all possible government must be further restricted.

The Governor finding himself unable to make the Islanders submit to the novelty of taxation, or

relax their hold on the English Treasury, the constitution of 1864 was abolished.

The Board of Trade also recommended a change in the old *Strand* laws relating to wrecking; but it was clear that external authority alone could change the inveterate vices of the place.

At the Duke of Buckingham's suggestion, the Admiralty agreed that a coastguard station should be established at the island, which might both keep order among the fishing vessels, and help the Governor to raise his supplies, and to enforce obedience to the law as to salvage and wrecking.

The 'Mermaid' cutter has been sent out, with a crew of sixteen men armed, for whom a watch-room, lodgings, and boathouse have been provided ashore.

On her arrival, an Order in Council was proclaimed repealing the Constitution of 1864, and placing the powers of government wholly in the hands of the Governor. The useless Court of Session was remodelled, and a stipendiary magistrate appointed to administer justice with summary power, in lieu of the former native magistracy. Juries, except in certain criminal cases, had been abolished in the reform of 1864.

The contract for the gaming tables is only allowed to run out its term, and will expire in 1871, and the proceeds in the interval are to be appropriated to the improvement of the harbour, and to paying off debt.

By all this drastic treatment the law may gain its ascendency, and the island may be made to pay its way; and it is possible that, as a coastguard and fishing station, Heligoland may yet become an useful appendage to the British Crown.

MALTA,

as a great naval Station in the Mediterranean, can scarcely be brought properly into a Colonial review, but it may bring up the rear, in the category of war-stations, in company with Gibraltar and Bermuda.

Only 1400 out of a population of 140,000 are British residents, the great bulk of the inhabitants being Maltese; but there are British troops generally quartered here to the number of 7000, and a considerable fleet, both naval and mercantile, make the harbour their rendezvous.

Valetta is strongly fortified by nature and art; and even in 1798 Napoleon said that the Knights of St. John might have kept the French out if they had only shut their gates. It was by the general co-operation of the inhabitants that we expelled the French in 1800.

Lord Grey thought it desirable that the Governor of Malta should not be the same man as the Commander of the Forces; but one whose mind, unburdened with the care of the garrison, might be free to attend to the general wants of the island,

and who, leaving undiminished the Crown's necessary powers for the military command, might himself preside over a constitution of civil government, in which, to some extent at least, popular principles might be introduced. The old *consiglio popolare*, which had existed from 1690, had been abolished by the Grand Master Rohan in 1794.

Accordingly, in 1849, a charter was granted, introducing election into the legislature, so far that, of the whole Council of eighteen, eight should be always chosen by a constituency which, upon a qualification of a 4*l.* rental, now numbers 3000 on the register. The other request of the Maltese, for elective municipal institutions, was postponed.

Certainly there is a considerable difference between a populous island, even so small as Malta, and a mere fortress like Gibraltar, yet Valetta is so much the chief part of all Malta that the garrison interest must be the paramount consideration of the whole government, and the civilian interest, whenever conflicting, must of course give way, even to the sacrifice of ordinary civic rights and liberties.

In 1859–60 the Duke of Newcastle, on the grounds that so much inconvenience arose from the conflicting powers of the Governor and the Commander of the Forces in separation, and that questions in time of peace so often occurred in which the union of the civil and military authority was for the public interest, while in war a civil Governor would have to be superseded by a Com-

manding Officer who would not have the knowledge which the Governor had gained, finally decided that the two appointments should be reunited.

Three General Officers have since the reunion shown ample capacity to bear the burden of both the civil and military government.

In 1864 Mr. Cardwell laid down principles on which such combined government could still be compatible with the partially popular constitution granted in 1849. In a despatch of September 19th that year he thus wrote:—"Great consideration "should be shown to the opinions of the elected "members in matters of local interest; and, above "all, no vote of money should be passed against a "majority of them in Council except under very "special circumstances, in which the public inter- "est or credit are seriously at stake."

Lord Grey's civilian Governor, Mr. More O'Ferrall, carried out many important measures. He established a system of public education on our Irish model, assimilated prison discipline to ours at home, introduced workhouses and relief for the sick and destitute, greatly improved the police, regulated and limited the vexatious quarantine regulations; while by economy he unburdened, and by reducing taxes he rallied, the revenue so much as to provide means for several useful public works. He also augmented the Crown rents to the amount of 4000*l.* a-year, by a new valuation which nobody gainsayed.

General Sir Henry Storks, one of his most distinguished successors, found himself obliged to add import duties on several articles in order to supplement the revenue for its new requirements. In his time the Island's trade with neighbouring States revived, and brought an increase of tonnage-dues into the Colonial treasury.

There is, however, a party still clamouring, with able spokesmen in the Council, for more constitutional freedom; and making itself, through a Chamber of Commerce, constantly heard on fiscal questions.

In religion, the native population are Roman Catholics; and theirs is, in fact, the established Church, fully officered as that Church always is, as was lately shown by the appointment of a suffragan bishop for the little adjoining islet of Gozo. Their religion was secured to them at the surrender of the Island, one-fourth of which, in annual value, is Church property.

The principal recent public improvements are the arrangements by which the French Creek and Marsa Docks, at the extremity of the Great Harbour, have been exchanged between the naval and mercantile departments, to the advantage of both; and the obtaining of water by sinking through the rock for springs. The heat and drought of Malta are the chief drawback to its prosperity, and the extraordinary want of rain which lately prevailed throughout the Mediterranean for three years, had

so nearly exhausted the tanks on which it relied for water-supply, that the Duke of Buckingham did not hesitate at once to send an eminent engineer, who sank artesian wells, and found water at the depth of 78 feet, 6 feet below the sea.

A sanitary report has been obtained from Dr. Sutherland, by which it appears that the drainage of these "streets of stairs," though offering every facility, is most defective, and that the military quarters require much improvement. The solid stone buildings of the old Knights hide under magnificent exteriors the defective sanitary provisions of their time. Even the quarantine quarter itself and the Lazaretto have been the focus of continual epidemics. The Duke sent out Mr. Lawson to lay out better plans.

As to military strength, besides the regular garrison, there is a local force of the Royal Malta Fencible Artillery, to which service great advantages of pension and discharge have been given, besides Imperial pay, to encourage enlistment. A portion of them take coastguard duty, for which the Island pays, and some have relieved the regular garrison of municipal service. The present Governor, Sir Peter Grant, has largely increased the permanent stores of corn for the garrison.

There are fortnightly mails from England by Gibraltar, but those by Marseilles became less frequent when the "P. & O." took the directer route to Alexandria by the Straits of Messina, until new

arrangements with that Company for a branch service from Messina, together with the ordinary French service from Marseilles pretty well satisfied the yearnings of Malta for constant news from England. A second telegraph cable has been landed on the Island, with priority of use secured to the Government.

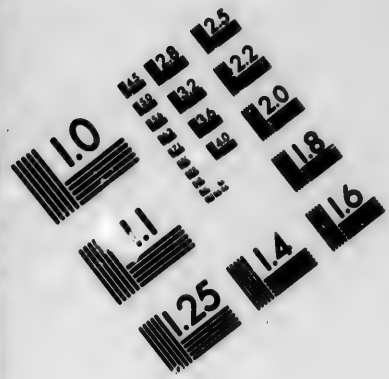
Ordinances have been passed amending the criminal law, and reforming the Courts of Justice, to which the civil jurisdiction of the Vice-Admiralty Court, revived by the 26 Vic., 24, 1863, has been transferred. District Committees have been established for representing to the Government local wants, and superintending the sanitary condition of the people, which are intended to lead ultimately to more self-government throughout the Island. A recent Ordinance relaxing the laws of entail, and enabling tenants-in-tail in possession to bar the entail, with the next heir's consent, of property under 40*l.* annual value, caused needless alarm among the old Maltese nobility. Entails generally could formerly be established in perpetuity, but, by the Code of Rohan, in 1784, following the principles of the Roman law as to *fidei-commissa*, they were restricted to the fourth generation. In 1814, the Courts were empowered to disentail, themselves deciding whether it was for the interest of the family, and whether proper consent had been obtained from the heir; much as in Scotland, by the 11, 12 Vic., 36, the previously perpetual

estates in tail may now be disentailed on the application of the heir. The Order of Knights of Jerusalem being extinct since the French short occupation of Malta, their feudalized Roman law naturally gives way to some assimilation with ours. The Maltese retain traces of their ancient race and language through every variety of foreign dominion, as far back probably as their Carthaginian origin.

GIBRALTAR

is a fortress which the Crown has held in possession since the time of Queen Anne, and as such is under military command. It comprises a town, and an almost isolated rock at the southern point of Spain. On the establishment of a separate Ministry of War, all our Mediterranean Stations were put in communication with the War Office; but in 1855 the Colonial Department undertook the correspondence with Malta, and with the Ionian Islands which are now attached to Greece, and, more lately, that with Gibraltar, though one-third of its whole population, amounting to 21,000, are military. The duplication of correspondence with two Departments is more mischievous than useless, but the official craft is to get rid, one upon the other, of the task of presenting estimates to the House of Commons, and the notion of constitutionalizing





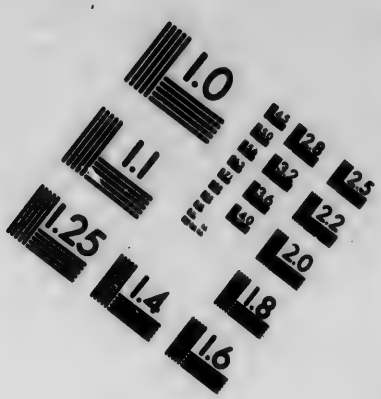
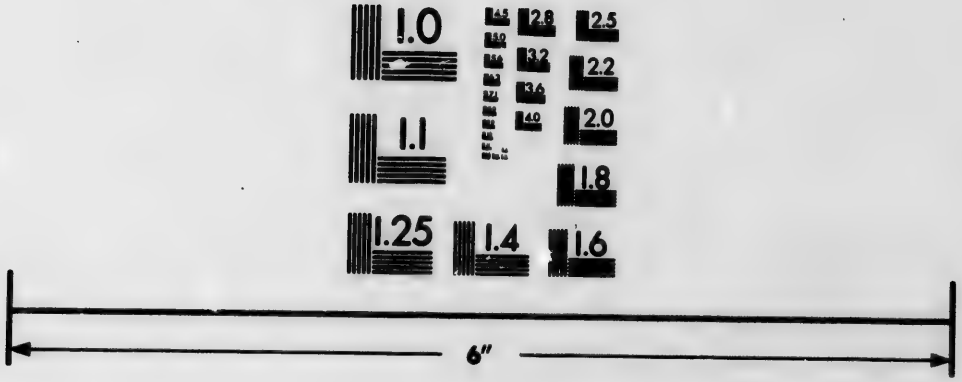
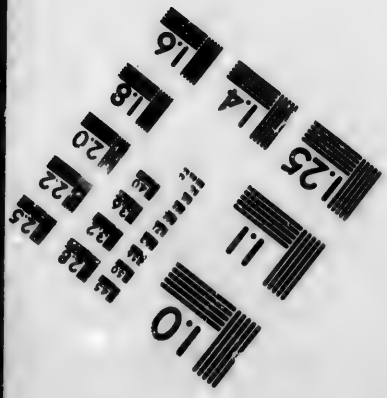
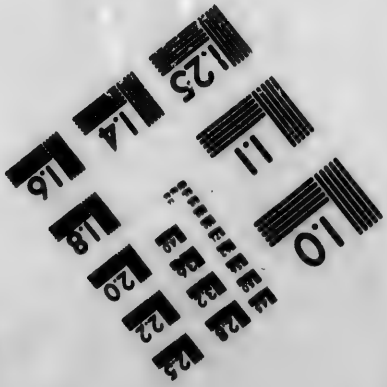


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fortresses inevitably introduces a double aspect of government.

The Reports which have been made from Gibraltar during late years to the Secretary for War, and now which come to the Colonial Secretary, simply record the state of the finances; and they make it appear that the annual revenue of about 30,000*l.* covers the local expenditure; that is, that the ground rents and port dues of which the revenue consists, furnish most of the official salaries, keep the Government-house in repair, and support the tanks, hospitals, poor relief, and ordinary municipal expenses of the place. Special grants for town institutions, and for both Anglican and Roman Catholic churches, are occasionally made, and at this moment the Governor is raising a loan of 24,000*l.* in England, secured on local rates, for sanitary works. The expense which is incurred by Great Britain on account of the garrison is of course very large.

We still keep about 300 English convicts at hard labour on Government works at Gibraltar, just as at Portland, but as our public works at home now occupy almost all our convicts, this establishment has been reduced.

English writers, at intervals, and now again, advocate our generously giving up Gibraltar to Spain, and taking another port, such as Ceuta, on the African side of the Straits, instead. But the pride of Spain has not evinced the irritation

at our neighbourhood which from our side is suggested to it. We hope that gallant people will some day recover from its long prostration under the incubus of the Inquisition; but if it does regain its high national spirit, it will be all the more independent of jealousies, and care as little for our friendly and loyal occupation of Gibraltar as France does for our long tenure of the Channel Islands. In the contingency of general war, it is questionable whether we could long keep Malta without possessing the key of Gibraltar. New implements of war have certainly altered the problem, but rather so as to increase the value and power of Gibraltar batteries, and if, after making a handsome present of Gibraltar, we lost Malta, the eastern commerce and empire of Great Britain would be at stake.

True it is that holding such a post adjoining Spain renders our daily relations with that kingdom delicate, and open to offence. A fleet of small craft perpetually smuggling tobacco into Spain keep their guarda-costas in dangerous activity, and the Courts in constant and protracted litigation about seizures. The Duke of Buckingham proposed a registration of small British vessels, and stricter rules and restrictions on any carriage of contraband articles in small craft, and on the other hand that Spanish revenue boats should not come into British waters, nor any armed vessels into our roadstead, without displaying their national colours, nor ever be allowed to come into port

without observing all the regular formalities. Every assurance was given to the Spanish Government of our wish to avoid everything obnoxious to them, and that our object was to cultivate friendly intercourse, by a careful maintenance of international rights.

As the Spanish Government becomes better established and freer, we may confidently hope that an assimilation of our commercial systems, and an enlightened co-operation will put an end to the only pretence of any reason, beyond a mere sentiment, for our abandoning this post.

Our Governors are always men of high military distinction, and have invariably exercised tact and strict integrity in these difficult relations, assisting the guarda-costas in their own proper work, and maintaining the greatest vigilance in our own waters. Only the other day H.M.S. 'Skylark' seized two Spanish traders smuggling tobacco into Spain from Gibraltar, and put them at once at the disposal of the Governor of Algesiras, who had summary proceedings immediately taken on them, gratefully acknowledging our co-operation.

There have been five "Charters of Justice" since 1720 up to 1830, by which English laws were asserted to be in force in Gibraltar, and all Courts, criminal and civil, claimed to be governed by that understanding. An Order in Council, of November, 1867, removed up to that date all doubts as to the force of English laws; but in future only such English enactments will apply to Gibraltar

as are adopted by local ordinances. A clear codification of what has been decided to be law, and of what is considered applicable, especially of recent English improvements of criminal law, seems highly desirable; and a better administration of the law by justices out of session, appointed and paid by the Crown, has been provided for by a local Ordinance.

A better classification of Government lands is under the consideration of the present Governor-General, Sir Richard Airey, with a view to arrangements by which what is not required for purposes of defence might be disposed of by him for local improvement, and all that the principal object of defence requires might be made available. For this purpose a map by fresh military survey has been projected, specially marking as vested in the Secretary of War the unoccupied land between the town and fortifications, over some of which leases have been granted; and showing where, within the town, streets want widening and spaces opening for sanitary reasons, and for checking further crowding within the walls. The law regarding aliens, and daily permits of residence, has, at the same time, and with the same object in view, been revised. It is desirable for the purpose of the Station to bar the influx of new residents.

The Treasury agreed, by a Minute of January, 1867, that the money of Spain should be legal currency in Gibraltar, and the gold doubloon the standard of value. The weights and measures are

those of England, and I hope may before long be amended with them.

The Roman Catholic is the prevalent religion, but the Protestant Government, as landlords, make such grants in aid of both churches as they deem reasonable, though apparently not such as to give present satisfaction to the Roman Catholics. On our capture of the place, and in the treaty of Utrecht, the Roman Catholics were assured of the free exercise of their religion, which the Vicar Apostolic Scandella takes care the Government do not forget, reminding them constantly of their obligations, as landlords, and as controllers of the public resources of the place, not only to permit, but to supply the religious requirements of his charge.

Gibraltar being a free port, subject to few duties and restrictions, is also by its situation a most certain *entrepôt* for merchandise.

THE BERMUDAS,

or cluster of Somers Islands, six hundred miles off the main headland of North Carolina, furnish a naval station, dockyard, and convict-works for this country. Their salubrity might suggest their further use as a sanitorium, for the climate is described as that of a perpetual spring, and the fields and trees as always green.

Ever since 1620 the inhabitants of these Islands have had a representative constitution of government. The London Bermuda Company set up the

first institutions, but forfeited its charter and lands to Charles II. in 1684, and the Crown has ever since appointed the Governor and his Executive, which is also the Legislative, Council. The House of Assembly consists of four representatives from each of nine parishes, chosen and paid by 842 electors, who are all that are qualified to vote by the possession of a 60*l.* freehold, out of a population of 11,000, one-half of whom are emancipated slaves.

These guardians of the local purse lately expressed an objection to pay their Governor's salary, which, however, the then Governor, Colonel Ord, managed with tact to overcome—as he was also able to maintain that a retiring Colonial Secretary's pension should be a charge on local funds. There is difficulty in reconciling a free Constitution with the requirements of a Government Station. An elected House of Assembly is only ready to give up its will on the payment of costs. Mr. Cardwell offered in this case to make over the Crown quit-rents to their disposal if they would undertake to pay the salaries of their Chief Justice, Attorney-General, and Colonial Secretary, but they refused. The resolution of the House of Commons, however, is to make our Stations pay their own expenses, and this resolution may make constitutional changes necessary in Bermuda, which, after all, from the nature of its population, and the object of its occupation, can scarcely be suffered to have its executive subjected to an unreasonable popular control, repudiating local obligations.

Even a plan for raising a local force of Volunteer Rifles was found impracticable, simply because it was based on the principle of the ballot, the whites declining to serve if there were a chance of blacks serving with them, and no doubt inclined to try whether they had not the option of having no local service at all.

The Castle Harbour defences are recommended by the Admiralty for further strengthening, and the unprecedented feat of sending out a ready-made floating-dock from England has just been exciting the interest and admiration of the world.

The Bermudas are ecclesiastically in the see of Newfoundland, but a question was lately raised as to the right of the Governor to present his nominee to the Commissary of the Bishop for institution to a vacant parish, against the petition of the inhabitants, who wished for another person; and a mandate of induction which was issued was publicly resisted, the disputants being supported by a decision of the local Court of Chancery, on the ground that the Crown could give no such power to a Bishop in a representative Colony; but, as this trenches on the wider subject of a subsequent chapter in my Third Part, I make merely passing mention of the fact. A recent Ordinance has enabled clergy ordained in the United States to hold livings in Bermuda.

There is a whale fishery on the south of the islands, and this, together with attendance on vast numbers of ships calling for purposes of trade, constitutes the employment of the people.

CONCLUSION OF PART II.

So ends the Second Part of my Review, namely, that relating to Crown Colonies, and Stations for trade or war.

The essential distinction in the government of Crown Colonies is not in its relation to the Imperial Parliament, to which all Colonial Governments are alike in theory ultimately, but in practice almost nominally, subject; but consists in the autocracy on the spot, which contrasts with the subjection of the government of others to representative Assemblies, with which, as with the Imperial Parliament, the Crown is only legislatively a partner.

With neither form of colonial government does the Imperial Parliament ever interfere, unless in extraordinary matters of general concern, and then only, in the case of Constitutional Colonies, because the colonists cannot unite with it in any sort of Congress, and general interests cannot be discussed in separate Assemblies; and, in the case of Crown Colonies, because Parliament will always control the action of the Sovereign in matters however remotely involving its own supplies.

Neither kind of Colony is in any way subservient to the English *people*. When, therefore, any Colony thus addresses the English people, in the current jargon of the day, "We expect your "defence in return for our allegiance;" they can simply reply, "Your allegiance is not to us, but "to the Crown, in common with us."

To Colonies with representative Assemblies the answer is, "The physical accident of distance, "which prevents your congress with the Imperial "Parliament for common affairs, in no way en- "titles you to lay the burden of those common "affairs on your fellow-subjects who live near "enough to be represented in it, and who, by the "fact of their crowded old metropolitan residence, "are more heavily burdened than you young "occupants of fresh territory; still less does your "absence from the metropolitan council, even "if it ever practically controlled you, which it "never does more than you indirectly control it, "oblige or enable it to relieve you of your re- "sponsibilities, or to assume the charge of your "protection; and if, unfortunately for you, any "power could so help you, you would soon cease "to be able to help yourselves; but no bounty is "supplied from heaven for a Mother-country to "dispense to Colonies."

To Crown Colonies the answer is, "Our com- "mon Sovereign has not governed you in our "interest. but to the best of its power for your

"own. The Crown is your Government; we are "not responsible for its actions, and its responsi- "bility to us has been always honestly, if not "wisely, turned to your account."

There need be no fear of causing separation by coming to a clear understanding of our true relations; far greater fear should attach to any assumption of false relations, which the day of trial will prove treacherous, and which the very pretence will have rendered worse than treacherous, by having superseded necessary preparation.

The well-being of the people concerned is surely the primary purpose of all government. Very few now take Lord Grey's view, that the superior wisdom of home statesmen is necessary or useful for the ordinary guidance of distant colonial communities. Their well-being must spring from their own vitality, and their own resources.

To constitutional Colonies, therefore, the greatest freedom of representative institutions ought to be conceded; and whatever novelty of government may result from their novel circumstances, their own congenial government must be better for them than the best guidance we could give them from such a distance.

For Crown Colonies the Crown is bound to give, for their own interest, the best local government it can; but their fellow-subjects at home can give them no guarantee against mistakes,

mishaps, or failures in their government, nor frank them of its cost.

Stations have only to be fairly and wisely utilized, each for its own special purpose.

Bearing these general principles of the true relationship of our various colonial governments in mind, there need be no such theoretical questions as we daily hear discussed of the claims of Colonies, and obligations of Mother-country; which, like the old indefinite and slovenly relations of landlord and tenant, keep both parties in mutual speculations, and chronic discontent.

True it is that Crown Colonies come more nearly to the idea of Dependencies, but that is so only in the sense that they depend on the central power for their government, and not that they are chargeable on the metropolitan people for their expenses.

PART III.

It remains for me only to make some general remarks on the three most important Colonial questions of the day, namely, On what principles Colonial Defence, the affairs of the Colonial Church, and Emigration to the Colonies should be conducted.

I.—COLONIAL DEFENCE.

On this subject opinion has so nearly arrived at general concurrence, at least on the main points on which controversy recently prevailed, that I need scarcely do more than show how events at this moment occurring in two or three Colonies illustrate the principles now generally recognized.

As I have stated in the First Part of my Review, our earliest and most vigorous colonists in North America defended themselves, as in fact they governed themselves, and separated from us in resentment of our interference. Our second Colonial policy was to govern and defend Colonies from home. Our recent tendency has been to recover earlier principles, and our chief blunders have been in halting half-way.

The best exposure of the folly of the second policy, in comparison with that which ought to be re-instated, may be seen in the Report of a Departmental Committee of 1859, consisting of Mr. Hamilton, Mr. Godley, and Sir T. Elliot, respectively representing the Treasury, War Office, and Colonial Office.

In referring back to it one is startled at being

reminded that so short a time ago "the Colonies of "Great Britain may be said, speaking generally, "to have been free from almost all obligation of "contributing, either by personal service or money "payment, towards their own defence;" that in the year preceding the Report our military expenditure in the Colonies was 3,968,599*l.*, to which the Colonies (and chiefly three of them) only contributed altogether 378,253*l.*; that few had any militia or local force whatever of their own; and that this little contribution to our expenditure on their behalf was most unequally distributed, Ceylon paying two-fifths, Canada one-fifth, Nova Scotia, New Brunswick, and New Zealand nothing at all, of the cost of their garrisons. On the Cape alone the English tax-payers spent 830,687*l.* of military expenditure in one year. The irregular system of colonial allowances to our troops was also most michievous to the service.

The Report ably points out the damage done on both sides by such a state of things: on the home side, the scattering of the little British army in small detachments (at the cost of discipline and organization, though with the additional cost of a most disproportionately multiplied staff), shelved in places inviting attack, a deduction from our available strength, and ready-made prisoners in case of war; while mercenaries were hired, with offence to other countries, to supply our regular service: on the colonial side, the preventing any develop-

ment of a proper spirit of self-reliance, and the enfeebling of national character.

The inefficiency of the system alone would be enough to condemn it. It is not physically possible, even if it were desirable, for England to maintain efficiently in all such distant places garrisons and fortifications; and singling out needy Colonies for special protection on the eleemosynary principle would only add injustice to injury. Be it remembered that fortifying as well as garrisoning all the Colonies was a necessary part of this ideal system, which really was only fit for after-dinner oratory in the House of Commons, to flatter Imperial pride at the cost of common sense, sacrificing the real strength of the empire for a mere pretence of patronage. To quote the Report, "The "conditions of a successful attack [illegible]any of our "Colonies must be either permane[illegible]om.nand of "the seas by the enemy, or such temporary com- "mand as would enable him to land an expedi- "tionary force powerful enough to conquer the "country. In neither of such contingencies would "our colonial garrisons be capable of defence, and "accordingly at every menace of war we find the "Governor cries distress. So far as assistance "from the mother-country is concerned, the chief "thing which most of our Colonies must look to "for defence against foreign enemies is our navy. "But a more efficient safeguard is in their situation, "and in the character of their population. The

"successful defence of British America, for in-
"stance, depends on the wishes and feelings of
"the people themselves. If they were ill-affected,
"or even indifferent, no possible military efforts
"on our part could defend them in case of war
"with the United States. On the other hand,
"the Americans could never subdue and retain in
"subjugation the British provinces, if determined
"not to accept their dominion."

Against local dangers from natives, from piratical attacks, or from internal discord, every English community should be able to defend itself, nor should the little British army be always dispersed in exposed places throughout the world to relieve English colonists from such tasks as these.

Every Colony should decide on the nature and extent of its own defensive requirements. They will certainly be much smaller than colonists now think necessary, or than are necessary, while England undertakes their defence for them. Probably there would have been neither Ashantee, Kafir, nor Maori wars if the colonists in each case had had only themselves to look to. They would have carefully avoided what they did not feel able to cope with, as our old American colonists did when in contact with far more powerful natives headed by European allies.

In foreign war we should assist them, and they no less should assist us. The cost of their fair share

of warfare they are, man for man, more able to bear than the old country. In both military and naval power every part of the empire should contribute to, not deduct from, the aggregate strength. If any Colony, from scarcity of men, cannot furnish their necessary militia, they should enlist men from elsewhere, or pay for such troops as England could spare.

The fallacy should be exposed which New Zealand has lately advanced in argument, namely, that because men are worth twice as much in a Colony as at home, therefore the home country should supply them with soldiers. By the time Englishmen are sent out they are as valuable on the spot as the colonists, except so far as their additional numbers may reduce the value of all alike, and the burden of an expensive soldiery is only transferred to our tax-payers from them, instead of resting on them for themselves; to say nothing of the cost of transport.

In 1851 Lord Grey himself, with all his grand ideas of the duty of the Mother-country, made an arrangement (modified by the late Lord Taunton) with the Australian Colonies, providing that while the Imperial Government should maintain such troops as it considers "necessary for Imperial "purposes," the colonists should pay for all military buildings and other local defences, as well as for any troops they asked for beyond the number specified. The Departmental Committee condemned this plan—first, as still open to the objection of

scattering our army in so many, and such ill-fortified places; secondly, because what is "neces-" sary or best for Imperial purposes" can be fixed by no rule, but must depend on constantly fluctuating circumstances of both place and time; thirdly, because its principle could not be applied reciprocally; and, fourthly, because it must perpetuate in the Colonies a feeling of dependence on the Mother-country, recklessness of policy, neglect of local efforts, and the absence of that spirit of self-reliance which is the very essence of their prosperity.

On this last ground of objection I lay most stress. If nations are vigorous in proportion as they are free, and free in proportion as they act for themselves, and the prosperity of the people concerned is the chief point in view, what counter-vailing reason can there be for withholding the utmost possible self-action, such as we exercise ourselves at home, from our fellow-subjects elsewhere? Drawing such a distinction between citizens at home and abroad, as that between imperial patrons and colonial dependents, so far from maintaining any mutual connexion, itself constitutes and inevitably develops the most fatal kind of separation. If such a relation of superiors with inferiors could be maintained, what would be its use? Is it benevolence, or foolish pride that prompts the offer of protection, which the people at home have not really the means to give? Surely the only last-

ing and trustworthy connexion is not that of dependence with patronage, but that of mutual relationship, partnership in commerce, identity of interest, and equal citizenship under allegiance to a common head.

On the third ground of objection to Lord Grey's plan, that of its inadmission of reciprocity, Mr. Godley, in a reply to Sir T. Elliot who demurred to parts of his colleagues' Report, observes that "The Colonies of all other nations, ancient and "modern, have defended themselves, or paid for "their full share of the common defence; and in "the case of the Greeks, who are always cited as "offering the nearest parallel to our early and "most successful system, the obligation was strictly "reciprocal; so that if Athens felt bound to assist "the Ionian cities against the Persian king, on "the other hand the Syracusan triremes fought "as a Corinthian contingent in a Peloponnesian "quarrel."

But natural relations irresistibly work their way in so free a constitution as ours. It matters little what theories are maintained, so that practically things can take their own course. Lord Grey's half-measure of distinguishing the Imperial from the local *quota* to a Colony's defence gradually shaped itself into a rough calculation of joint undertaking. It was finally arranged that the Australian Colonies should pay for whatever number of English troops were agreed upon as

necessary to be stationed among them, at the rate of 40*l.* per infantry soldier, and 70*l.* per artilleryman. We have also seen Victoria taking the initiative in extending, to other branches of the service, the principle of colonial self-defence; imposing upon herself a share in her naval equipment, as well as in the fortifying of her harbour.

A Committee of the House of Commons, of which Mr. Arthur Mills was Chairman, in the year 1861, recommended generally that the Colonies, properly so termed, should be called upon to undertake the responsibility and cost of their own military defence, but with a reserve of discretion as to the extent to which H.M. Government should so call upon them, according to their local resources and dangers. They thought separate negotiation with each Colony on the subject inexpedient, and that Lord Grey's Australian arrangement in 1857, might be made the general rule; but they proceeded to suggest its modification for each Colony. They condemned the plans for colonial fortification, but only on the ground of their requiring too many men, not fearing apparently to leave our scattered detachments unprotected. Their last resolution, however, in defiance of the preceding qualifications, adopted after all the main principle of the reformed policy, affirming "that the tendency of modern "warfare is to strike blows at the heart of a hostile "power, and requires a concentration of troops at

"home, trusting to naval supremacy for securing "against foreign aggression the distant depen- "dencies of the empire."

In a debate on this Report the following year (1862) the House of Commons fully accepted the recommendation of the Committee, but in practice went much farther. Common sense vindicated itself; and with no further resolution, or any enactment, it seems to have been tacitly admitted that Colonists must, like the rest of Her Majesty's subjects, bear the burdens of both their civil and military establishments.

In respect of military expenditure this principle has been distinctly asserted by every succeeding Secretary of State of either side of politics.

The Duke of Newcastle extracted larger contributions from Mauritius.

Mr. Cardwell commenced the withdrawal of troops, which were not paid for, from New Zealand, imposed larger military contributions on several Colonies, and passed the Colonial Naval Defence Act.

Lord Carnarvon instituted the gradual withdrawal of English troops from the Cape; and Lord Granville is now carrying out the same process, boldly begun by the Duke of Buckingham as far as circumstances allowed him, in Canada.

I cannot do better than briefly show how these instances illustrate the policy of colonial self-defence now distinctly adopted with almost unani-

mity by English statesmen. Of the Colonies from which troops are being withdrawn, I may observe that New Zealand and the Cape are the only ones exposed to formidable natives, and Canada is the only one exposed to foreign invasion by land. The three present, therefore, all the strongest possible claims to Imperial assistance.

First let me say of the Colonial Naval Defence Act of 1865 that it in fact extends to the Colonies equally with England the benefits of the Royal Naval Reserve. It enables the Colonies to place ships at the disposal of the Crown, as indeed Barbados presented George III. with a frigate a century ago in the old French war. It may in the sequel be the foundation of a great naval force maintained by the energy, and at the expense, of the Colonies, constituting a valuable addition to British power throughout the world. The Duke of Buckingham proposed advancing a step beyond this Act, and getting the principal Colonies to maintain squadrons on their stations under the Queen's command.

The case of New Zealand excites, perhaps, more interest at this moment than any other, and tests to the utmost the applicability of the principle of universal self-defence throughout the British empire. To many it appears a desertion of our fellow-subjects at a moment of extreme peril; but to those who are at the pains to know the true circumstances of the case it seems a signal justi-

fication of the general condemnation of the old system, and preference of the new.

The early meddling with New Zealand from home, and, even after the concession of self-government, the retention of separate control over the native policy, caused and continued the Maori wars. The Crown, however, was the Government of New Zealand, and acted to the best of its judgment for the interests of the Colonists. The Colony became willing to undertake its own defence, when that was clearly seen to be the imperative condition of its having the correlative control of policy. Upon this we made a clean sweep of the past score, and the Crown gave up all further interference, leaving to the Colony its own affairs, and the task to fight for them, or hire troops for the purpose from us at the low Australian rate of pay. The local parties were, however, so evenly balanced, that though the principle of self-reliance was carried, the requisite supplies were refused. Hence the present calamities have ensued—the proverbial catastrophe of falling between two stools. But who would attempt to set up the old imperial protection again? The leading statesmen in New Zealand are resolute not to allow it, though still thwarted in obtaining their ways and means. Bitter experience alone will break down this sort of opposition, and the man who by word or act encourages any hankering after a renewal of the system which bred the mischief is the greatest enemy to the

Colony. We offer them cheaply hired troops, but to the extent to which England undertakes the war, the Crown must resume external control of policy. Imperial troops so employed again would not end, but keep up the war, as they formerly did, while they would finally break down the last hope of the most spirited colonial party who think they see in self-reliance, and sense of responsibility, the only means of ending war.

Take next the case of the Cape. Lord Grey, both in debates in the House of Lords, and in his evidence before Mr. A. Mill's Committee, strongly condemned even the gradual withdrawal of English troops from this Colony. He said it was unwise for the sake of a small economy to run the risk of an expensive war; unjust to leave colonists to defend themselves from dangers to which we had ourselves exposed them; and inconsistent with our colonial policy to let colonists and natives settle mutual claims together, which nothing but the dispassionate arbitration of a distant power could treat with justice and humanity.

But a long experience has too fully proved the futility of such a theory. Economy is not the object of the new policy, though, no doubt, the stoppage of an unjust and useless waste of English resources will be one of its consequences. War has been the ceaseless concomitant of the system it supersedes. Our placing colonists on lands which they must exercise caution and courage in

holding does not entail an obligation on us to enfeeble all their numerous descendents for ever by defending them, nor has the dispassionate arbitration of a distant Government been eminently successful in the settlement of local disputes. One power fighting for another power quarrelling is a recipe for endless war. Sir P. Wodehouse's present negotiations with the Basutos and Boers, if he had our troops on the spot to back him, would probably have already bred a war.

The last illustration of the policy of self-defence throughout the Empire, is the withdrawal of a large force from Canada. This is the only Colony in immediate contact with a foreign power—a power which became foreign by our infraction of its colonial relations—now perpetually threatening us with the sensitiveness of wounded friendship. Canada is becoming an immense Dominion, and, however exposed to danger, must defend itself, or no one can defend it. Whatever means may be required to maintain its integrity, it is quite clear that England cannot furnish them from her resources on the other side of the Atlantic, nor could Canada long rest securely on borrowed strength. We have given the Canadians the best plans for fortifying their principal posts (which is the only possible mode of defending so great a width of country), and we have set them a good example by strengthening Quebec for them, which, indeed, was also necessary for the safety of our own remain-

ing troops. It is for them to do the rest themselves. Our chief object in keeping any troops still among them is the organization of their local forces, but such an employment of our troops necessitates the scattering of them in very small detachments at great distances from each other, and cannot be suffered to continue long. While Fenian threats are kept up, to get a dividend for the shareholders in the speculation, and a cry for the American elections, it may be difficult to withdraw our troops wholly from the threatened points, the militia being insufficiently established; but it may be doubted whether the red coats of England have most effect in deterring or attracting that species of menace, and the Canadians look upon Fenianism rather as an "Imperial" danger drawn upon them.

So long as we keep up a North American naval station it is necessary for us to see that Halifax is secure, and, so long as any of our troops remain, the rail from thence to Quebec is essential to us; but there is no reason why the harbour, any more than the railway, should be maintained by English taxation, and the object for us to keep steadily in view is to call out to its present requirements the local spirit which showed itself in the Canadian defence of 1813, and which our late system has done so much to suppress.

Our chief Colonies are certainly more in earnest now in developing their local strength, and the recent offer of Canada to send a regiment to the

Crimea was a volunteer of even colonial reciprocity in Imperial service. The St. Albans raid called out a provincial army in British America, which marched to the frontier amidst the newly awakened cheers of national feeling.

The notion which some people entertain of keeping up a sentimental connexion of sympathy, or shadow of Imperial prestige, by the exhibition of a few English red-coats about every Colonial Governor is scarcely worth considering.

It is thought by some that Colonists will see no advantage in retaining any further connexion with England when they are left to share equally with the English at home the charge of self-defence. If it were so the relation would not be worth retaining; but I believe that the healthier attachment of community of interests and responsibilities will be also stronger than that of mercenary calculation, and it is already evident, in Canada, that the last thought suggested to our fellow-countrymen by the gift of self-administration, is to set themselves up as independent republics, or to place themselves under any other flag.

II.—COLONIAL CHURCH.

CERTAIN judicial decisions within the last six or seven years have so affected the recognized legal status of the Colonial Church as to require some notice in a review like this, however imperfect, and my notice must be a mere sketch of what has happened.

The Colonial Church was supposed to be as much a part of the Established Church of England as was lately that of Ireland.

But one little fact was forgotten, namely, that many Colonies had separate representative legislatures, and that in them anything that required legislation could not be done by the Crown, which is only part of the Legislature, alone and unauthorized; nor could the Crown be Head of an Established Church where none had been established, though by its ordinary prerogative it could make a Bishop as a Lay Corporation for which no statutory power is requisite, or it might, of course, be the acknowledged Head of a voluntary Church association.

The entire overlooking, by all, of this little fact that a Colonial representative Legislature is the same thing as the Legislature at home for all

local purposes, is very significant of the national inappreciation of colonial relations.

The fact once accepted carries with it as a corollary that any see, province, or ecclesiastical corporation, set up by the act of the Crown alone in any Colony having an independent representative Legislature, derives no authority or even existence from such an act.

Bishop Gray of Cape Town, seems to have devoted himself to illustrating the truth of this corollary, by repeated failures in attempting to disprove it, and abortive efforts to assume authority on the basis which it invalidates.

In the year 1861 he first essayed to suspend from his clerical functions, and afterwards to deprive of his office in Natal, the Rev. W. Long, for refusing to convoke a synod at his bidding. The Supreme Court of Natal refused Mr. Long's application for an interdict on these proceedings; but the Judicial Committee of Council, on his appeal in 1863, decided that the Bishop of Cape Town's order of suspension was not justified by what Mr. Long had done, and that the act of deprivation fell with it.

In 1864, Bishop Gray took proceedings against Bishop Colenso of Natal, in what he called a "Court of Justice," on a charge of heresy; and in judgment gave sentence for his deposition, and deprivation. But in 1865, on the petition of Dr. Colenso being referred to the Judicial Com-

mittee of Council, these proceedings were pronounced null and void, and it was decided that Bishop Gray had no such jurisdiction, as he supposed, by law, and that Bishop Colenso could not have voluntarily submitted himself to it.

The events which led up to this decision must be narrated.

In 1847, the Queen separated the Legislature of Natal from that of the Cape by Letters Patent, giving Natal an independent but not a representative Legislature.

By other Letters Patent, in the same year, the Queen created the See of Cape Town, which she had full power to do in what was then a Crown Colony; for not till 1850 were the Letters Patent issued which gave the Cape a representative constitution.

By Letters Patent, in 1853, the Queen constituted the See of Natal, and appointed Dr. Colenso its first Bishop; and, fifteen days later in that year, after accepting the resignation of his former post by Dr. Gray for the purpose of the new arrangement, she assumed the power of appointing him Bishop of the reduced Diocese of Cape Town, and of giving him Metropolitan powers over the sees of Natal and Grahamstown.

These last acts of the Queen, the Cape having then a representative Legislature, are judged not to be of full force, wanting statutory authority.

There is doubt whether the Natal Legislature was so far emancipated in 1847 as to necessitate

its concurrence with the act of the Crown in the creation of that See in 1853. If so, Dr. Colenso is not Bishop of Natal. But if the Natal Constitution, not being representative, left so much power in the Crown sole as to give force to the Letters Patent of 1853, then the result of all these proceedings would be that Dr. Colenso is Bishop of Natal, but that Dr. Gray, having resigned all his former Diocesan authority in that year, and the Queen having been unable by her Letters Patent to give him the new Diocesan and Metropolitan powers which she intended, independently of the Cape Parliament, is simply a Bishop in Cape Town.

In the state of uncertainty so produced, Mr. Cardwell consulted the Law Officers, and it was determined that some Imperial legislation was necessary, and early in 1866 he brought in a Bill "to remove doubts as to the effect of Letters "Patent granted to certain Colonial Bishops, and "to amend the law with respect to Bishops and "Clergy in Colonies."

Mr. Cardwell saw at once that there was no alternative but either to substantiate what the Judges had found wanting, or to accept their decisions and adapt things to them; and all agreed with him that the latter course alone was practicable. For Parliament to establish the English Church now in the Colonies would be a vain attempt, nor would the colonial legislatures agree

to constitute a diocesan organization, though willing to recognize the constitution of a voluntary Church. The data, therefore, for Parliament to legislate upon were, the cessation of connexion between the Crown and Colonial Episcopate, except in Crown Colonies; the equal freedom from the State of the Colonial English Church with that of other communions; the unauthorization of Colonial Clergy to officiate in an English diocese without special permission; and the necessity of ratification of all past proceedings which had been rendered questionable by the judicial decisions.

The Bill accordingly proposed to settle things on this basis, that is, to repeal all Acts not consistent with the judgments, especially as to colonial ordinations, to cure invalid transactions, and to empower English Bishops to consecrate without mandate in future.

The change of Ministry in July, 1866, prevented Mr. Cardwell from proceeding with his Bill; but it had already become clear that it could not pass. There was very little agreement as to what legislation was required. The Archbishop of Canterbury desired simply the ratification of past Acts; the Colonial Churches themselves desired self-administration, and were only anxious to retain identity of doctrine and fellowship with the Church at home; and all saw that a simple voluntary constitution was the inevitable destiny of the Colonial Church.

At this period came another judgment, from Lord Romilly, Master of the Rolls, further complicating the whole question. The suit was instituted by Bishop Colenso, against Mr. Gladstone representing the Trustees of the Colonial Bishops' Fund, who had threatened to stop any appropriation of their funds to the endowment of Natal, as not a legal diocese.

Lord Romilly decided that the Privy Council judgments had meant no more than that the Crown alone could not constitute a colonial diocese giving the Bishop coercive jurisdiction over all its inhabitants such as by statute attached to a Bishop in England; but that the Bishop of Natal was a rightful territorial Bishop with consent, and possessed authority which the Law Courts would recognize.

This decision was generally considered irreconcilable with the former.

Lord Carnarvon, succeeding Mr. Cardwell as Colonial Minister, was pressed by the Bishop of London, and by several Petitioners, to refer the subject to a Committee of Enquiry. He had, however, promised to introduce a Bill agreeing with Mr. Cardwell's, only more limited in its scope, when his resignation, early in 1867, stopped his hand in this proceeding.

The Bishop of Cape Town finding his first proceedings fail, resorted to ecclesiastical excommunication against the Bishop of Natal; on which the Rev. Mr. Green, though Colonial Chaplain in

Natal, and receiving part of his salary from the Government, ventured to refuse any further recognition of Dr. Colenso as Bishop, and even published his sentence of excommunication in the Church of Pietermaritzburg, of which he was Dean. The Bishop of Natal, thereupon, pronounced sentence of deprivation upon him, and obtained from the Supreme Court, though not a confirmation of his informal sentence, an interdict prohibiting Mr. Green from officiating as Colonial Chaplain, and ousting him from his Deanery. This sentence has been appealed against, but confirmed.

In spite of this further failure, the Bishop of Cape Town has since attempted to set up a rival Bishop in Natal; and though the feint of a distinct title did not deceive the Queen into lending her sanction to the proceeding, he has managed to get a *quorum* of Colonial Bishops to consecrate a Bishop in Dr. Colenso's neighbourhood, who is to rally round him the orthodox Church escaping from the treachery of the supposed but uncondemned Heresiarch, and effect an extra-professional, and somewhat homœopathic, cure of heresy by schism.

All attempts at legislation by the Imperial Parliament to meet the difficulties of the Colonial Church seem to be suspended at present.

We shall probably wait, as is our habit, for cases to present themselves requiring remedy, and meet them in turn by special legislation.

The effects of the judicial decisions at the worst are these:—

1. That a certain number of Colonial Bishops hitherto supposed to have dioceses and jurisdiction, have not.

2. That the clergy ordained by them and now officiating in England are disqualified for doing so under the 59 Geo. 3rd, 60.

3. That some acts consequently done informally may be open to question; and,

4. That the bishoprics when vacant cannot be filled by the Crown.

Probably no practical evils will arise from these defects; if they do, they must be met as they arise. The Churches will accommodate themselves to their ascertained and recognized position for the future, in Lord Kingsdown's words, "neither better "nor worse than other religious communions," and able to maintain their own internal arrangements, as other corporate bodies, by the general law.

The Privy Council judgments affect about twenty-five sees, in North America, Australia, New Zealand, and South Africa. But these several Churches are very differently circumstanced.

The Canadian Church has for some time been virtually independent. The local Parliament, by an Act in 1851, recognized religious equality; and in 1854, by the Clergy Reserves Act, renounced all connexion between Church and State; and in 1856 gave the Anglican Church complete self-govern-

ment; since which its Bishops have been elected freely, though the Queen's Letters Patent have been part of the proceeding, which they are now no longer.

Most of the Australian Colonies have repudiated distinctly all idea of Church establishment.

The Bishopric of Rupert's Land is peculiar, having been established in the Hudson's Bay Territory, which had no independent Legislature, yet was never subject to Crown legislation.

The judgments of the Privy Council can have no effect on sees in Crown Colonies, nor on such as have been created under Acts of Parliament, or have been recognized by their own colonial legislature.

Six Colonial Bishops have been appointed since these judicial decisions; five of them with mandate from the Queen, which, however, takes no notice of the diocese which they are to govern, but merely authorizes the act of consecration; namely, the Bishop of Rupert's Land, a Suffragan to Newfoundland, the Bishop of Grafton and Armidale in New South Wales, of Nelson, and of Dunedin in New Zealand; and one by Letters Patent, namely that of Victoria in Hong Kong; not counting Colonial Missionary Bishops.

The Bishops of New Zealand have petitioned to be allowed to surrender the Letters Patent by which they were appointed, and to rely in future on the power inherent in their office, stating that

they have associated themselves with the clergy and laity about them in constituting a voluntary church and synod, which the local Legislature has recognized.

What then may we conclude generally must be the future character of the Anglican Church in the Colonies? It is evident that no Colonial Legislatures will establish it, nor make good the past defective appointments and jurisdiction, though all alike seem willing to recognize a voluntary church, and to give it the same protection as any other legal association under mutual contract.

There is no alternative for the English Church, in freely governed English Colonies, but to take up the position to which the Irish Church has just been reduced.

In point of doctrine it will probably rigidly retain the standard of the English Church at home, and, perhaps, by their independent adherence, fortify it.

All the petitions which have come from the Colonial Church since these judgments, evince an anxiety for the retention of unity with the Established Church of England.

In this, perhaps, as in many other things, the Mother-country herself may get a lesson from her children, and may see some of the problems, which are perplexing her, worked out freely, as it were *in vacuo*, or adapted to the novel circumstances of new communities in the world's advancing age.

III.—EMIGRATION.

THINKING, as I do, that the speediest possible riddance of the false relationship of tutelage lately assumed by this Country with the Colonies, and the full substitution of the true relationship of community, are urgently needed in order to secure a healthy and enduring mutual connexion, which has been much endangered by past mistakes, no subject in the detail of this policy seems to me so important as Emigration. In no other particular is a common and reciprocal interest between both parties so evident and so essential. The want of men is the want of the Colonies, and the only barrier to their almost precipitate and unbounded wealth. The want of land, to spread capital and population over, is the want of an old and limited country. As Pericles told the Athenians that they must colonize to prevent their fellow-citizens being degraded by poverty, so Englishmen may confess that for want of the right use of Colonies they have in the midst of their wealth a population of paupers. We first misused Colonies as washpots for the overflow of gaols, having allowed poverty to fill the gaols to overflowing; and now we are only half retracing a wrong step in offering them

the poverty. Let emigration anticipate poverty, and then the contact of men and wealth will be fruitful.

The natural overflowing of a vigorous people on fresh lands is freedom on one side, and fertility on the other. The relief to the old country is not only the easing off of men for the time crowding on their work, but the supply of more work to those who remain, by a new commerce with the offset hive. The new Englands' transactions with the old are the real ligaments of a growing British empire; far stronger, because living, than the mechanism of protection. The blood circulating warmly from the heart spreads the same life through the members of the body, returning as warmly from them to the centre of life again. We have been too much attaching, rather than propagating, Colonies, as dependent limbs to a lay figure, a mere exhibition of empire, which will not work without strings and pulleys straining instead of co-operating with the centre.

The two objects to keep in view are the freest possible opening of fresh lands to the capital and labour of the nation, and the freest possible terms of commerce with our fellow-communities.

It is to no purpose discussing whether there is a surplus of population in any country, for that is not a positive but comparative term. There is always a surplus whenever the supply presses at all on the demand, and the healthy condition of

a people depends on the escape from such pressure being at all times easy and profitable. Probably if the capability of this island were fully developed, it would occupy and enrich three times its present population. But the question is how to keep up, through all the stages of national progress, a continuous demand for labour, and enable labour freely to find demand for itself elsewhere, in case of any redundance at home.

The way is, to facilitate all legitimate enterprise, to free from hindrance all the natural incentives to industry, and to open every healthy outlet to the energies of the people.

That some obstruction now stands in the way of national industry, beyond a mere temporary check to trade, is obvious from the fact that a hundred thousand able-bodied men are receiving relief from the proceeds of others' industry, instead of adding to them,* to say nothing of a mass of criminals living in prisons at the expense of the community which, if it had found work for them, they might, and many of them probably would, have enriched. The Discharged Prisoners' Aid Societies have proved how cheaply a large proportion even of ready-made criminals may be recovered to honest industry by merely helping

* Mr. Goschen allows that the number of paupers relatively to the population is somewhat on the increase; and when he says that few of the able-bodied are fit to emigrate, he circulates results with conditions of the case. Not having emigrated they have become paupers, and now being pauperized they cannot emigrate.

them to find employment. How much more easily could many have been kept from crime by earlier employment!

We have an arrear of difficulty to cope with, and not merely a principle to correct. To take the mass of criminals or paupers which we have allowed to accumulate, and place them on colonial wild land, is a proposition as wild as the land itself. There is no such ready-reckoner for a problem which has been negligently complicated. Many impossibilities stand in the way of such a proposition, which the slightest reflection must discover. A great national effort may be called for, but it must be made in the way of wisdom. Employment is wanted for many thousands, and thousands are wanted for work; the question is how to bring the correlative work and workers rightly together. The work being local, the workers must emigrate to it.

What hinders an English, any more than a Yankee, workman, who has much less inducement to emigrate, from finding fresh employment always open to him? There must be some special obstruction. First, there is our old system of local settlements and poor law, the stagnating effects of which are still uneradicated. Then there is the general ignorance of our people of the offers of wealth to them in distant regions, which combines with their national love of home, to prevent their looking outwards to better their condition. The unoccupied

outskirts of England were long a mystery to our common people, purposely unexplained lest the deterrent virtue of transportation might be lost in confusion with emigration. The people's nourishment was disguised for medicinal use, and sacrificed to it.

But the only natural and irremovable hindrance to our access to fresh land is the wide intervening ocean. This obstacle must be conquered, the others may disappear. The United States do nothing more to overcome the same obstacle to their supply of labour from Europe, than merely to entice capital by offers of cheap land, and afford labour every possible advertisement and agency to encourage it to come. On our part, we have done much less by way of promoting emigration in these two ways. We have even thwarted it in past times. We complicated our system of Colonial land sales, and now that the matter is left at the disposal of each Colonial Legislature, systems vary so as to bewilder inquiry, though the terms of land sale are generally low enough. Some Colonies give free grants of land to ascertained settlers, some put land up to auction, some sell at a low fixed price. We may, however, be pretty certain, the colonists having the disposal, that "sufficient "price" theories will no longer perplex sellers, whose immediate interest it must be to sell land at the lowest terms compatible with a test of its *bonâ fide* occupation.

But to encourage emigration effectually, we

must in the first place spread more information, and increase agency. The Emigration Commissioners should come out of their long hiding-place in Park Street, and be part of the Colonial Ministry, nothing being more essentially a part of the work of that Department than the superintendence, advertisement, and agency of emigration. The information which is crowded into a closely-printed circular, issuing periodically for sale from those Commissioners, might be distributed more widely and intelligibly by advertising frequently the few facts that are wanted through the newspapers, and their agencies throughout the country might be multiplied, and made far more active than they are. More knowledge about the Colonies might be given in our primary schools, whose geography was till lately restricted to the Holy Land, and still greatly fails of meeting practical requirements.

Still there is the cost of passage to be paid by somebody before our far-west is accessible to labourers. Some Colonies offer assisted passages out to themselves. Victoria and Canterbury give free passages for women. A few emigrate to West Australia at the expense of the home Treasury, to make up Lord Grey's promised equivalent for the service of transportation. Poor rates may be appropriated to emigration under certain conditions, but the amount so spent last year was only 227*l*. Coolies are sent from the East to the West Indies

at the cost of their employers. All this is inadequate to the object in view.

There are many who think, and under present pressure are loudly declaiming, that it would be public money well spent if this country were to offer grants in aid to families of labourers wishing to seek their fortunes in new lands, and there would be less risk if such emigrants only were so aided as might be engaged by any of the various Colonial agencies which already exist in all our great towns, and which represent the real demand for them.

Public aid to develope industry, in special emergency at least, has some precedents in its favour; as, for instance, the Lancashire relief; but the public works for Irish relief in 1847 left this warning behind, that public aid should follow upon the exhaustion of all other means, or it will supersede them.

But as we have rid emigration of the stigma of transportation, so we must rid it of all connexion with poor rates. If assistance should be given it, and that locally, and not from the Treasury, it must at all events be given by a special emigration rate, distinct from poor rates, and regulated by a different test from that of destitution. There must be no smell of police or pauperism about it. Anything that degrades emigration, degrades the most vital spirit of English national life and growth, and breeds a repugnance in the quarter where it is essential that

co-operation should be equally spontaneous and high-spirited. It must not be the halt and blind who go out, but the most enterprising of our working classes. So alone will both sexes go out together in families, instead of our sending ship-loads of "females" to follow a riddance of "males."

English ratepayers, with "parish-settlement" recollections in their minds, would cry out at this proposition, not so much alarmed at its direct costliness as at its indirect effect upon wages, leaving, they will say, the worst labourers for them to pay with higher wages. That wages are artificially reduced below cost price at present in this country is evident from the fact that they do not cover the rent of dwellings, which land-lords provide at half-price as an indirect aid to their tenants. There is therefore a margin up to which emigration might usefully raise them, so as to get rid of this sort of covert truck system. But ratepayers generally do not yet take in the fact that every able and industrious family of labourers going out to new scenes of industry prevents another family becoming paupers at home; and that successful emigration increases the general employment both of capital and labour. I recollect when this subject was rife, when the Poor Law amendment saved England from imminent ruin, a Hampshire Board of Guardians remonstrating with an enlightened proprietor who proposed a large subscription to enable

a great accumulation of healthy labourers who crowded the parish to emigrate. The plan was ultimately carried out, and the result was that the paupers left behind soon ceased to be paupers, and the poor rates shrank to a quarter of their former amount. Emigration carried on in this spirit would soon empty our able-bodied wards, and thin our prison ranks, not by the suicidal plan of shovelling out the refuse, and fouling the enterprise of the nation, but indirectly by letting in fresh air to purify the crowded atmosphere, and releasing from the crowd those who will best develope employment for all, and widen without depreciating the field of industry.

A large vote of public money would be required to help off the arrears of emigration, but a moderate ordinary rate might adequately facilitate the annual emigration from this country. The Colonies would probably contribute what they now expend in assisting passages, to a common fund, and instead of wasting our resources in undertaking for them their own local expenditure, we might, much better in this, as in all joint concerns, unite with them in effecting national objects as one nation. The united enterprise would furnish them with men, and thereby wealth, enough to conduct, without our assistance, their own affairs; and would relieve our tax-payers of much of their own and of assumed colonial burdens.

This mode of simply facilitating the access of

the supply to the demand is obviously better than the schemes which have been lately proposed of founding new settlements for the deposit of a surplus population.

But Mr. Murdoch, the chief Emigration Commissioner, in whose knowledge, experience, and sound judgment everyone has the fullest confidence, demurs altogether to any public aid being given to emigration.

In the first place he denies that there is a surplus population in these islands; though he cannot but allow there is a temporary pressure of the supply of labour on its demand at this moment.

In the next place he maintains that the emigration from this country is as great as it should be, on the average.

In the third place he argues that public grants in aid of emigration would only supersede and stanch the salutary efforts of the emigrants themselves and the private aid of their friends.

His facts are these. Emigration takes off, on an average, almost half the increase of our population yearly. From 1847 to 1868 nearly 5,000,000 emigrated from British ports; that is, about 250,000 a-year; of which total number only 450,000 have been assisted to emigrate, to Australia and New Zealand, the cost of all the rest having been defrayed from private funds, amounting to seventeen millions sterling.

He argues that public grants would supersede

these private resources, and that we should not be prepared to vote in annual estimates, or in rates, nearly a million a-year, to keep up even the present rate of emigration; and that if we did, this would be a very bad substitute for the funds superseded, being much more liable to fraud and abuse, less wholesome in spirit, and likely to raise prejudices in the minds of colonists.

What also, says he, would those poor people feel who have provided for their passage by painful efforts of self-denial?

Besides, there is this difficulty: the great bulk of emigration must at present go to North America, as the cheapest and most open market. Australia is only asking for female servants at present. But how can any public system of consigning emigrant labour to North America be guaranteed to the place intended, that is, how can labourers sent out, at public expense, to Canada be kept from the larger attraction of the United States, by which, at least, half the object in the view of the national enterprise would be lost? All private engagements, indentures, or bonds, have failed to be put in force.

For my own part I feel sure, and indeed both the views I have described agree in this, that it is the business of the Government, if not to stimulate, at least to see that nothing stands in the way of, emigration; that whenever there is a pressure of population it should find the easiest and safest vent;

and that nothing should be allowed to depreciate the enterprise in the eyes of our countrymen, or to prejudice their reception in our Colonies.

There should first be the freest permigration of labour through the various districts of this country, equalizing the labour market at home. Better established relations between employers and employed are also a necessary preliminary to proper conditions of emigration. Next in importance is the provision of available information and agency for foreign enterprise, and the best possible regulation, if not facilitation, of passage.

On the other side of the question is the essential requisite of colonial freedom—the not weighting with double government and interference the enterprise of capital in new lands, and not disturbing the field of labour by meddling legislation.

When the conditions are right on both sides, the natural intercourse will soon adjust itself.

CONCLUSION.

PEOPLE are curious to know what will be the nature of our future relations with the Colonies: as if anyone could foretell, or shape, either those future relations, or the coming condition of either side of them.

The Statesman's aim should be to let no special theory of his own warp the most natural relationship at the present time, but simply to do justice to it, and to make the wisest use of it fairly in the interests of all. The interests of the Colonies must be the interests of England at home, and their prosperity is ours. We have had enough of the idiosyncrasies of statesmanship disturbing natural relations, first in the breaking-up of our entire Colonial empire in the last century, and then in the enfeebling of our new Colonies. We may fall back now on our freer policy, but still we shall not so revive the former state of things. Times are changed, the world is a wholly new one. I conclude, as I began, by saying that these things follow a course which Statesmen should study, and not attempt to twist to their fancy. So far we may apply the French Emperor's philosophy, *Le génie pressent l'avenir, sans en deviner la marche.*

The Colonies which are inhabited by our race will certainly require the freedom of our national institutions, adapted as they may be to new circumstances and requirements. Mr. Godley, in his 'Letters from America' (Murray, 1844), quotes M. Chevalier's confession of the inferiority of French colonization, from the military spirit of the nation producing outposts rather than growth of empire; while the industrious commercial genius of England, with the popular and independent national habit of government, has more vigorously reproduced itself in Colonies. Institutions derive more of their elements from race than from locality, and even the propensity of English Statesmen to hold the reins of colonial government is a feature of the activity of our race which, on the other hand, refuses to be so driven—at least unless handsomely paid for the submission. To intrude government, albeit in a generous spirit, on those who are born to govern themselves, is to thwart and cripple, not to guide or assist.

Lord Grey has lately re-asserted his theory that the Colonies should have our protection in compensation for our exercising authority over them. But they only consent to the first part of his proposition, and have proved that the latter must lead to the break-up which he wishes to avoid.

Even Crown Colonies are better governed on the spot than the Crown could govern them in Downing Street. That we should have eminent

Officials of the Colonial Department in London carefully looking after the enforcement of vaccination at the Gambia, or the provision of drainage at Port Louis, or the improvement of prisons at Hong Kong, or the amendment of the municipal law of the West Indies, seems a superfluous, if not a hopeless, machinery of government. Can we effectually provide for the detail of administration at such a distance? Will the agents on the spot move with such long leading-strings? Will not mere local self-will be sure to lead the government more powerfully than the distant advice even of superior wisdom? If the energy of the community is slack in averting from itself disorder, or disease and death, may not that very indolence have been caused by the soporific influence of supervision? The Imperial interest in any place is all that the Imperial authority can guard.

But on Colonies with representative government of their own, there can be no doubt about the mischief of intruding either home government or protection.

Some indeed vaguely think that such Colonies should be kept down, lest they should become independent; with the childish impulse to break a toy which will not do something which it was not made to do. But, say these reasoners, if Colonies are to be free to do what they like, they had better separate from us at once. The last course they think of is to let things take their natural way. They

do not see that between the alternatives of dependence and separation lies the real secret of a lasting connexion—that of common partnership. But then, say the objectors, this will not last unless there be an actual federation, nor can equal citizenship logically exist without some sort of congress of legislature, allowing everyone a voice in the control of common affairs.

It is quite true that the next generation of Colonists may not be so much attached to England as those who now feel the strongest of all attachments—that of associations with childhood, early life, and education. It is also possible that the present idolatry of the British Sovereign will be succeeded by some cooler sentiments of loyalty, in progress of time. It may indeed be conceded that there is something incomplete and even contradictory in the theory of fellow-citizenship of which the home-citizens retain a sort of elder brother's share, being alone capable of direct representation in the central Council which must have the chief voice in general policy.

There is, therefore, some weight in the objection to the theory of equal citizenship, and self-support throughout the empire, that it rests on the supposition of a partnership, in interests and in government, which is defective in its full application, and that it requires a constitutional monarchy to hold together a too incongruous membership on terms of common nationality.

I have already said that the problem of a common representative Legislature of England and her Colonies for Imperial purposes has been completely reduced by argument *ad impossibile*. Even if such a Council could be got together, and the subjects of its debates defined, we know the Colonies would not submit to be taxed by English votes, nor we by the Colonial.

But what is really the extent to which, in the constituency of our empire, of communities each having locally free Parliaments, the Colonies suffer any default of citizenship by the necessary supremacy of the Metropolitan Parliament over theirs? The ultimate supremacy is practically nominal, and perfect self-administration works under it. The contiguity of the American States makes a Congress both possible and necessary: the wide separation of English Colonies removes both the possibility and necessity. There cannot be the same kind of connected action between them, but there may be a concert of lasting power. The harmony of the solar system is perfect in its way, though not the same as if all the planets were welded in a solid sphere. In ordinary transactions, in time of peace, each integral community follows its own devices, but in intimate relation. The assertion of Imperial sway, as for instance in laying down the principle of free trade and the abolition of differential duties, is rather suasive than imperative; and in war there is springing up, since

our withdrawal from interference, a willing co-operation which may gradually admit of organization almost to the point of guaranteeing defensive security to the empire.

There are some who think that Colonists when thrown on their own resources, equally with Englishmen at home, will no longer care for any connexion with them, and that they will refuse to take their Governors from the Sovereign's nomination. But this is rather the view of men who are so in love with republican government as to suppose that no community tolerates even constitutional monarchy that can help it.

The English Colonies will no doubt develop a very modern phase of constitutional monarchy, but I can hardly conceive a more promising mode of filling the highest seat of such an Executive, than that combination of the hereditary and elective principle by which eminent men, in the vigour of life, are necessarily deputed to represent ancestral royalty, occupying the chief place in administration free from local interests or jealousies, and with the prestige of distant mission, without either the periodical interruptive turmoil and intrigues of an election, or, on the other hand, the occasional default of qualification for government to which hereditary succession must naturally be liable.

With so little to be alleged against either the theory or practice of a free Colonial policy; with the warnings of all experience against departure

from it; and while the Colonists who have most fully entered into it evince increasing vigour, and attachment to the Sovereign, what Englishman will be hardy enough to predicate, or try to precipitate, its failure?

To Lord Granville I beg to say *I pede fausto*, while he firmly yet temperately embodies in action the sentiments of his present Chief, as expressed in the debate on the second reading of the New Zealand Constitution Bill, and in his evidence before the Committee of 1865 (see p. 135). But whether he does so or not, I have a firm faith in the future of this great empire, now that its spirit of self-administration is freed from central interference beyond the reach of recall.

I have, at any rate, to the best of my power, given to the public the result of many years of study and occupation connected with the subject of colonial government, in hopes of contributing something to the recognition of its true principles, which seem to me of the most vital interest to all classes of my countrymen; and a historical sketch, up to this year (1869), of the condition of every Colony and Station of the British Empire.

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